

# FEDERAL REGISTER

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Washington, Friday, November 30, 1945

## The President

### EXECUTIVE ORDER 9660

CONFERRING CERTAIN AUTHORITY UPON THE CHIEF OF COUNSEL IN THE PREPARATION AND PROSECUTION OF CHARGES OF WAR CRIMES AGAINST THE MAJOR LEADERS OF JAPAN AND THEIR PRINCIPAL AGENTS AND ACCESSORIES

By virtue of the authority vested in me by the Constitution and the statutes as President of the United States and as Commander in Chief of the Army and the Navy, and to enable Joseph B. Keenan, as Chief of Counsel in the preparation and prosecution of charges of war crimes against the major leaders of Japan and their principal agents and accessories (hereinafter referred to as Chief of Counsel), to perform effectively his functions and duties, it is hereby ordered as follows:

1. The Chief of Counsel is authorized to select and recommend to the President or to the head of any executive department, independent establishment, or other federal agency, necessary personnel to assist him in the performance of his duties. The head of each executive department, independent establishment, and other federal agency is authorized to assist the Chief of Counsel in the performance of his duties and to employ such personnel and make such expenditures, within the limits of the appropriations now or hereafter available for the purpose, as the Chief of Counsel may deem necessary for the accomplishment of his duties, and to make available, assign, or detail for duty with the Chief of Counsel such members of the armed forces and other personnel as may be requested by the Chief of Counsel.

2. The Chief of Counsel shall receive such compensation and allowances for expenses as may be authorized by the Secretary of War.

3. The Chief of Counsel is authorized to cooperate with, and to receive the assistance of, any foreign Government to

the extent deemed necessary by him for the accomplishment of his duties.

HARRY S. TRUMAN

THE WHITE HOUSE,

November 29, 1945.

[F. R. Doc. 45-21508; Filed, Nov. 29, 1945; 11:26 a. m.]

### EXECUTIVE ORDER 9661

POSSESSION, CONTROL, AND OPERATION OF THE TRANSPORTATION SYSTEM, PLANTS, AND FACILITIES OF THE GREAT LAKES TOWING COMPANY, CLEVELAND, OHIO

WHEREAS after investigation I find and proclaim that as a result of a labor dispute there are interruptions of the operations of the transportation system, plants, and facilities of The Great Lakes Towing Company located and operated upon the Great Lakes and tributary waters; that the war effort will be unduly impeded and delayed by such interruptions; that it has become necessary to take possession and assume control of the said transportation system, plants, and facilities for purposes that are needful or desirable in connection with the present wartime emergency; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure in the national interest the operation of the said transportation system, plants, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 as amended by section 3 of the War Labor Disputes Act, the Act of August 29, 1941, 39 Stat. 645, and the First War Powers Act, 1941, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. The Director of the Office of Defense Transportation is authorized and directed, through or with the aid of any public officers, Federal agencies, or other government instrumentalities that he may designate, to take possession and assume control of the said transportation system, plants, and facilities owned or

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Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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operated by The Great Lakes Towing Company, including all real and personal property and other assets used or useful in connection with the operation of such transportation system, plants, and facilities, and to operate or to arrange for the operation of the said transportation system, plants and facilities in such a manner as he may deem necessary to carry out the provisions, and accomplish the purposes of this order.

2. Subject to applicable provisions of existing law, including the orders of the Office of Defense Transportation issued pursuant to Executive Order 8989, as amended, the said transportation system, plants, and facilities shall be managed and operated under the terms and conditions of employment in effect at the time possession is taken under this order.

3. Except with the prior written consent of the Director, no attachment by mesne process, garnishment, execution, or otherwise shall be levied on or against any of the real or personal property or other assets, tangible or intangible, in the possession of the Director hereunder.

4. Possession, control, and operation of any plant or facility, or of the transportation system, or any part thereof, or any real or personal property, taken under this order shall be terminated by the Director when he determines that such possession, control, and operation are no longer necessary to carry out the provisions, and accomplish the purposes of this order.

5. For the purposes of paragraphs 1 to 4, inclusive, of this order, there are hereby transferred to the Director the functions, powers and duties vested in the Secretary of War by that part of section 1 of the said Act of August 29, 1916, reading as follows:

The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material and equipment, or for such other purposes in connection with the emergency as may be needful or desirable.

6. The Director of the Office of Defense Transportation may request the Secretary of the Navy to furnish protection for persons employed or seeking employment in the plants, facilities, or transportation system of which possession is taken and to furnish protection for such plants, facilities, and transportation system, and may request the Secretary of the Navy to furnish equipment, manpower, and other facilities or services deemed necessary by the Director to carry out the provisions, and accomplish the purposes of this order; and the Secretary of the Navy is authorized and directed upon such request to take such action as he deems necessary to furnish such protection, equipment, manpower, or other facilities or services.

HARRY S. TRUMAN

THE WHITE HOUSE,  
November 29, 1945.

[F. R. Doc. 45-21597; Filed, Nov. 29, 1945;  
11:26 a. m.]

## Regulations

### TITLE 10—ARMY: WAR DEPARTMENT

#### Chapter V—Military Reservations and National Cemeteries

#### PART 505—MOTION PICTURE SERVICE UNITED STATES ARMY MOTION PICTURE SERVICE

Sections 505.1 to 505.10 inclusive, are superseded by the following §§ 505.1 to 505.10, inclusive.

Sec.

- 505.1 Scope.
- 505.2 Definition.
- 505.3 Army Motion Picture Service.
- 505.4 Regional offices of the Army Motion Picture Service.
- 505.5 Supervision of Army theaters.
- 505.6 Films.
- 505.7 Theater buildings and utilities.
- 505.8 Admission charge.
- 505.9 Patronage eligibility.
- 505.10 Employment of theater personnel.

AUTHORITY: §§ 505.1 to 505.10, inclusive, issued under R. S. 161; 5 U. S. C. 22.

SOURCE: §§ 505.1 to 505.10, inclusive, contained in AR 210-390, 1 Nov. 1945.

§ 505.1 *Scope.* This part will govern the operation of the Army Motion Picture Service and all Army theaters established for the exhibition of 35-mm entertainment motion pictures at military installations within the continental limits of the United States, Alaska, Newfoundland, Bermuda, and specified bases in Canada.

§ 505.2 *Definition.* (a) An Army theater as an adjunct of the Army, exhibits 35-mm commercial entertainment motion pictures at an admission charge to specified persons and is financed by nonappropriated funds as defined in AR 210-50.

(b) The Army theater is operated by the post commander under the supervision of the commanding general of the service command as hereinafter defined. As used in this part the designation "commanding general of the service command" will also include commanding generals of departments and of any other commands outside the continental United States served by the Army Motion Picture Service.

§ 505.3 *Army Motion Picture Service.* (a) The purposes of the Army Motion Picture Service are as follows:

(1) To make available to authorized personnel 35-mm entertainment motion pictures at low cost in the areas prescribed in § 505.1.

(2) To provide dividends to profitable posts, to maintain service at nonprofitable theaters and to procure necessary facilities and equipment for the general improvement of the service.

(b) The Army Motion Picture Service is an adjunct of the Army operated under the Director, Special Services Division, Headquarters Army Service Forces. This service provides staff supervision as hereinafter defined in the operation of such theaters.

(c) Such regional offices as the Chief, Army Motion Picture Service, determines are necessary for the procurement and

distribution of film, and the engineering, repair, and spare parts depot will be maintained and classified as class IV installations reporting direct to the Chief, Army Motion Picture Service.

(d) (1) The Army Motion Picture Service will carry adequate insurance of the kinds and on such plans and forms as may be prescribed from time to time by the Chief, Army Motion Picture Service, in conformity with policies established by the Fiscal Director, Headquarters Army Service Forces.

(2) Theater officers, assistant theater officers, and theater employees will be bonded under a blanket position bond as described in TM 28-405, November 1, 1945, Operation of the Army Theater: Army Motion Picture Service.

§ 505.4 *Regional offices of the Army Motion Picture Service.* The regional offices will perform all functions pertaining to the procurement, booking, and circuiting of entertainment films and advertising material. A regional office may serve more than one service command but no service command will be served by more than one regional office.

§ 505.5 *Supervision of Army theaters.* (a) The commanding general of the service command is charged with the administrative supervision of Army theaters within the geographical limits of the service command. He will appoint a motion picture officer with such assistants as may be necessary.

(b) Supervision of Army theaters in departments or bases outside the continental limits of the United States will be charged to the commanding generals of such departments or bases.

§ 505.6 *Films—(a) Supply.* (1) All 35-mm entertainment motion pictures for exhibition at posts in the areas prescribed in § 505.1 will be secured from the Army Motion Picture Service.

(2) Organization day programs and special children's matinees may be held in accordance with policies established by the Chief, Army Motion Picture Service.

(3) With the exceptions of American Red Cross service for patients in hospitals and the authorized prisoner of war programs, 16-mm entertainment motion pictures will not ordinarily be shown at posts where Army theaters are operated. Any unusual conditions that would appear to justify a departure from this policy will be communicated through the service command to the Chief, Army Motion Picture Service, for approval.

(b) *Selection.* The product of all producers is available for Army theaters and selections thereof are made by the Chief, Army Motion Picture Service, based on quality as determined primarily by past experience gained from study of audience reactions, attendance reports, and comments of individual post commanders.

(c) *Suitability.* If the post commander objects to the showing of any motion picture scheduled by the Army Motion Picture Service, a substitute booking will be arranged, provided that adequate prior notice is transmitted to the appropriate regional office of the Army Motion Picture Service.

(d) *Exhibition.* (1) Entertainment motion picture programs furnished by

the Army Motion Picture Service will be shown only at the Army theater upon the dates contracted for by the Army Motion Picture Service as shown on the station notification form. No portion of a scheduled motion picture program may be shown to an audience at other than authorized performances. The program will consist only of such subjects as are scheduled by the Army Motion Picture Service.

(2) The sound and projection equipment will be used only for approved performances of entertainment motion picture films booked by the Army Motion Picture Service; and for the exhibition of training films or educational films dealing with subjects applicable to the training of military personnel.

(3) The screens and equipment of Army theaters will not be used during paid performances of entertainment motion picture programs for the showing of films or slides advertising commercial products or services.

**§ 505.7 Theater buildings and utilities.** (a) The showing of all films supplied by the Army Motion Picture Service will be in a properly equipped building, which for purposes of exhibiting 35-mm entertainment motion pictures will be known as the Army theater.

(b) Theater buildings are available for substitute entertainment in accordance with policies established by the Chief, Army Motion Picture Service. Such buildings are available at any time for military purposes without regard to previously arranged motion picture schedules.

(c) At posts where theater buildings have not been constructed, the commanding officer may designate for use, as a theater, any public building which may be determined by the commanding general, service command, subject to the approval of the Chief, Army Motion Picture Service, to be suitable for the proper presentation of 35-mm sound motion pictures.

(d) Theater buildings and their utilities will be maintained by the post engineer out of funds applicable to the maintenance of buildings and operation of utilities except as provided in paragraph (e) of this section.

(e) Fuel, water, and electric services in sufficient quantities to satisfy normal needs for lighting, heating, cooling, ventilation, drinking, and sanitation will be supplied at Government expense to the theater buildings, except as specifically provided in TM 28-405 (Operation of the Army Theater) with reference to the use of electricity.

**§ 505.8 Admission charge.** The charge for admission will be 15 cents for adults and 10 cents for children under 14 years of age. Children 14 years and over will be charged the adult admission rate. If considered advisable by the commanding officer and the seating capacity of the theater permits, children under 6 years of age may be admitted free of charge.

**§ 505.9 Patronage eligibility.** Admission to motion picture shows will be restricted to:

(a) Military personnel on active duty.

(b) Members of the households of military personnel who actually reside at the post, camp, or station to which the individual is assigned for active military duty.

(c) Members of the households of military personnel on active duty when in the company of such military personnel.

(d) Civilians residing within the limits of the post, camp, or station.

**§ 505.10 Employment of theater personnel.** (a) The names of the positions and the maximum rates of pay that may be paid employees of Army theaters will be as authorized by the Chief, Army Motion Picture Service.

(b) All authorized Army theater positions will be part time, and compensation therefor in the case of assistant managers, chief projectionists, assistant projectionists, cashiers, ticket takers, and ushers will be on a performance basis. In case of janitors, supervising assistant managers, and projection supervisors, compensation will be at a flat rate per show day.

(c) Any authorized theater positions may be filled by civilians or enlisted military personnel. Military personnel may occupy theater positions only where such part time employment will not interfere with the performance of their normal military duties and the work is performed during their leisure time.

[SEAL] EDWARD F. WITSELL,  
Major General,  
Acting The Adjutant General.

[F. R. Doc. 45-21487; Filed, Nov. 28, 1945;  
3:07 p. m.]

## Chapter IX—Transport

### PART 903—TRANSPORTATION OF INDIVIDUALS DEPENDENTS

Section 903.1 (a) (7) pertaining to transportation for dependents of military or civilian personnel, injured, dead, missing, interned, or captured, beleaguered, or besieged is revoked as follows:

**§ 903.1 Dependents.** (a) To whom transportation furnished. \* \* \*

(7) Dependents of military or civilian personnel, injured, dead, missing, interned, or captured, beleaguered, or besieged. [Revoked]

(R.S. 161; 41 Stat. 421; 5 U.S.C. 22; 10 U.S.C. 756, 756b) [AR 55-120, 26 April 1943, as amended by C15, 9 November 1945.]

[SEAL] EDWARD F. WITSELL,  
Major General,  
Acting The Adjutant General.

[F. R. Doc. 45-21498; Filed, Nov. 29, 1945;  
9:55 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[Operations Order 61]

#### ALABAMA

##### ESTABLISHMENT OF BOARD OF APPEAL AREA

Pursuant to the authority contained in the Selective Training and Service Act

of 1940, as amended, and in accordance with the recommendation of Colonel James T. Johnson, Jr., State Director of Selective Service for the State of Alabama, I hereby order:

That the State Director of Selective Service for the State of Alabama is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1, 2, 3, 4, 5, and 6 of the State of Alabama, and to establish one board of appeal area having more than 70,000 registrants as the result of the first registration, which board of appeal area shall be coextensive with the State of Alabama.

LEWIS B. HERSHY,  
Director.

NOVEMBER 28, 1945.

[F. R. Doc. 45-21497; Filed, Nov. 28, 1945;  
4:48 p. m.]

### Chapter VIII—Office of International Trade Operations, Department of Commerce

#### Subchapter B—Export Control

[Amend. 107]

#### PART 801—GENERAL REGULATIONS

##### PROHIBITED EXPORTATIONS; PENICILLIN AND PENICILLIN PRODUCTS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The description of penicillin and penicillin products and the dollar value limits in the column headed "GLV Dollar Value Limits" set forth in paragraph (b) is amended to read as follows:

Dept. of Comm. Sched. ule B. No.	Commodity	GLV dollar value limits country group	
		K	E
813598	Penicillin and penicillin products	10	10

Shipments of penicillin and penicillin products saleable in the United States which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective December 1, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: November 26, 1945.

WALTER FREEDMAN,  
Director,  
Requirements and Supply Branch.  
[F. R. Doc. 45-21480; Filed, Nov. 28, 1945;  
2:14 p. m.]

[Amendt. 109]

## PART 804—INDIVIDUAL LICENSES

## APPLICATIONS TO EXPORT ROSIN AND ROSIN DERIVATIVES

Section 804.7 *Special provisions concerning applications to export certain commodities* is hereby amended by adding thereto paragraph (k) as follows:

(k) *Rosin.* All applications for licenses to export the following rosin and rosin derivatives:

211000—	Gum rosin
	Heat treated gum rosin
	Stabilized gum rosin
	Polymerized gum rosin
211100—	Wood rosin
	Heat treated wood rosin
	Stabilized wood rosin
	Polymerized wood rosin
218909—	Rosin oil
	Sulfate wood rosin
825100—	Ester gum in powder, flake, or liquid form
825300—	Rosin modified maleic and fumaric resins
825501—	Rosin modified phenolic resins
825598—	Pentaerythritol esters of rosin, glycol esters of rosin, and methyl esters of rosins
829990—	Rosin size
837998—	Sodium resinate

must be accompanied by (1) a statement of ownership of the rosin or derivative signed by the exporter-applicant or other satisfactory evidence that he owns the commodity; (2) a definite commitment from a supplier in which such supplier agrees to furnish the amount of rosin or derivative covered by the application if an export license is granted, showing the contemplated dates of delivery and shipment; or (3) a statement setting forth fully the efforts made to secure such a commitment from a supplier.

This amendment shall become effective immediately.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: November 19, 1945.

WALTER FREEDMAN,

Director,

Requirements and Supply Branch.

[F. R. Doc. 45-21482; Filed, Nov. 28, 1945; 2:14 p. m.]

[Amendt. 108]

## PART 802—GENERAL LICENSES

## IN TRANSIT LICENSES

Section 802.9 *General in transit licenses "GIT"* is hereby amended to read as follows:

§ 802.9 *General in transit license "GIT"*—(a) *General provisions.* There is hereby granted a general license designated "GIT" authorizing, subject to the other provisions of this section, the exportation from the United States of commodities which originate in and are destined to any foreign country except Germany and Japan, moving in transit

through the United States for which no formal or informal consumption entry has been made at a United States customhouse.

(b) *Excepted commodity list.* Shipments of the commodities set forth in this paragraph (b) may not be exported under this general license unless such shipments are in transit from (1) any part of the British Empire to any other part of the British Empire; (2) Mexico through the United States to any other part of Mexico; (3) The Republic of Panama through the Panama Canal Zone to any destination; (4) Canada to any destination.

Commodity	Schedule B, No.	Schedule L, No. <sup>1</sup>
Aircraft parts, equipment, and accessories other than those listed in the President's Proclamation of Apr. 9, 1942.	All	
Babassu nuts and kernels	222098	230
Beef and mutton tallow (edible and inedible) and oleo stock	(005100) 005200/ 085700	020 080
Cashew nut oil and cashew nut shell oil	224998	240
Cassia	154903	170
Castor oil	224901	240
Castor beans	222001	230
Cinnamon	154902	170
Coconut oil	(142000) 144905/ 223000	150 240
Cod-liver oil except medicinal	081900	080
Cohune nuts and kernels	222020	230
Copra	222030	230
Cottonseed oil, crude and refined	144905	150
Flaxseed (linseed)	222003	230
Mace	154998	170
Muri muri nuts and kernels	222098	230
Neat's foot-oil	080300	080
Nutmegs, unground	154607	170
Nutmegs, ground	154998	170
Curcuma (turmeric) oil, kernels and nuts	224998	240
Palm oil, kernels and kernel oil	222098 224925	230 240
Peanut (ground nut) oil	144903	150
Pepper, unground	154911	170
Pepper, ground	154998	170
Perilla seed and oil	222020	230
Rapeseed and rapeseed oil, and oilseeds oil	144904	150
Rubber seed	222020	230
Rubber seed oil	224906	240
Sesame seed	224998	240
Silver bullion	(?)	(?)
Sperm oil, crude and refined	080605	080
Sunflower seed	222020	230
Sunflower oil (edible and denatured)	144902	150
Tacuma nuts and kernels	222098	230
Tung oil	224910	240
Wool grease	085805	080
Whale oil	080905	080

<sup>1</sup> For the convenience of exporters, the Department of Commerce Schedule L number is shown for each commodity. Exporters are reminded that in accordance with Department of Commerce regulations, all shipments of merchandise for which the "Shipper's Export Declaration for In Transit Goods" or the "Defense Aid Shipper's Export Declaration for In Transit Goods" are required, must be reported in terms of schedule L. This does not obviate the requirement of showing the schedule B numbers of any of the commodities listed above on these forms.

<sup>2</sup> No schedule B or schedule L number is assigned to this commodity; silver in bullion form is not included in the merchandise total of United States foreign trade statistics, but is shown in separate tables.

(c) *Special provisions for certain countries.* (1) The provisions of this section apply only to in-transit shipments which originate in or are destined to any of the following countries:

Eire.  
Portugal.  
Portuguese Atlantic Islands.

Portuguese Guinea.  
Spain (including Fernando Po and Balearic Islands).  
Spanish Atlantic Islands.  
Spanish Morocco.  
Tangier.  
Sweden.  
Switzerland.

(2) In transit shipments originating in or destined to any of the countries set forth in subparagraph (1) of this paragraph of commodities otherwise exportable to the country of ultimate destination under the country group general license set forth in § 802.7 may be exported under this general license without regard to the provisions contained in subparagraphs (3) and (4) of this paragraph.

(3) In transit shipments originating in the British Empire and destined to one of the countries listed in subparagraph (1) of this paragraph of commodities which are not exportable to that country under the country group general license set forth in § 802.7 may be exported under this general license: *Provided*, That such shipment is accompanied by an export permit or license issued by the British authorities in the country of origin and such certificate is surrendered to a United States Collector of Customs at the last port of exit from the United States.

(4) In transit shipments originating in any country other than a country of the British Empire, or one of those listed in subparagraph (1) of this paragraph, and destined to a country listed in subparagraph (1) of this paragraph of commodities which are not exportable to that country under the country group general license set forth in § 802.7 may be exported to that country under this general license: *Provided*, That such shipment is accompanied by a British navicert issued pursuant to directions of the Joint Anglo-American Blockade Committee and such navicert is surrendered to a United States Collector of Customs at the last port of exit from the United States.

This amendment shall become effective immediately.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: November 28, 1945.

WALTER FREEDMAN,  
Director,  
Requirements and Supply Branch.

[F. R. Doc. 45-21481; Filed, Nov. 28, 1945; 2:14 p. m.]

[Amendt. 110]

## PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

## INDIVIDUAL LICENSE PROVISIONS

Section 805.3 *Individual license provisions* is hereby amended in the following particulars:

Paragraph (d) is hereby revoked.

This amendment shall become effective immediately.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: November 21, 1945.

WALTER FREEDMAN,  
Director,  
Requirements and Supply Branch.

[F. R. Doc. 45-21423; Filed, Nov. 28, 1945;  
2:14 p. m.]

#### Chapter IX—Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 678, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

##### PART 3281—PULP AND PAPER

[General Conservation Order M-241, as Amended Oct. 5, 1945, Amdt. 1]

##### PAPER AND PAPERBOARD

Section 3281.63 General Conservation M-241 is hereby amended as follows, effective December 1, 1945:

Amend paragraph (c) subparagraph (1) (i) by changing the word "October" in line 4 to the word "December" and by changing the figure 20% in line 7 to 10%.

Issued this 29th day of November 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-21503; Filed, Nov. 29, 1945;  
11:12 a. m.]

##### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-217, as Amended Nov. 28, 1945]

##### FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 Conservation Order M-217—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the Civilian Production Administration and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) *Military footwear* which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to § 944.11 of Priorities Regulation 1.

(b) *Definitions.* For the purposes of this order:

(1) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(2) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(3) "House slippers" means any footwear designed exclusively for indoor or house wear.

(4) "Line" means footwear of any one of the following types:

Men's dress  
Men's work  
Youths' and boys'  
Women's and growing girls'  
Misses' and children's  
Infants'  
House slippers  
Athletic  
Men's safety shoes, and  
Women's safety shoes

to the extent that such type of footwear is manufactured for sale by the manufacturer in a price range where the highest list price does not exceed the lowest by more than 10% or 25¢ a pair (whichever is greater): *Provided*, That:

(i) Footwear of identical kind and quality sold at different prices to different types of purchasers may be included in one line if the highest price in the range is an actual price at which this footwear was sold during the base period, and the concession price for the same footwear is not more than 15% below the highest price in the range.

(ii) In case the sale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the retail price range.

(iii) Up to and including the net wholesale price shown on the following schedule, each type of footwear listed may be deemed one line:

Type:	Maximum net wholesale price per pair
Misses' and children's	\$1.75
Youths' and boys' (without leather)	1.90
Youths' and boys' (utilizing leather)	2.50
Women's and growing girls' (including safety) (without leather)	1.90
Women's and growing girls' (including safety) (utilizing leather)	2.50
Men's work, dress and safety (without leather)	1.90
Men's work, dress and safety (utilizing leather)	3.00
House slippers (with or without leather)	1.60
Infants', sizes 0-4 (utilizing leather)	.90
Infants', sizes 0-4 (made without leather)	.75
Infants', sizes 4½ to 8 (with or without leather)	1.35

*Note:* For the purposes of this schedule, footwear utilizing no leather except for heel

top lifts shall be considered as having been made without leather.

(iv) Nothing in this order shall be deemed to permit overlapping price lines.

(5) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including the Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(6) "Civilian footwear" as used in paragraph (f) includes all footwear except military footwear and rubber footwear.

(7) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 through April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(8) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period, as set forth on his base period report.

(9) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(c) [Deleted Nov. 28, 1945.]

(d) *General exceptions.* None of the restrictions of this order shall apply to military footwear, or to footwear made as trials or pullovers but not sold.

(e) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker, or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) [Deleted Nov. 28, 1945.]

(f) *Restrictions on production of lines of footwear.* (1) No person shall, during the four month period beginning September 1, 1945, or in any subsequent four month period, complete the manufacture of more civilian footwear within any line than the percentage of his civilian line quota for such line shown on the following schedule:

Each line of youths' and boys' shoes	100
Each line of men's safety shoes	100
Each line of men's work shoes	100
Each line of men's dress shoes	80
Each line of women's and growing girls' shoes	80
Each line of house slippers	80
Each line of athletic shoes	80
Each line of women's safety shoes	80

With respect to (i) infants' footwear and (ii) misses' and children's footwear, no manufacturer may exceed 100% of his aggregate civilian line quotas for all lines of infants' footwear, and no manufacturer may exceed 100% of his aggregate civilian line quotas for all lines of misses' and children's footwear, but his production within each of these two types of footwear may be distributed among his established lines in any manner desired, except that the production in any line consisting of less than 50 pairs or 2% of the total production of that type of footwear (whichever is greater) during the base period may not be increased by more than 25%;

*Provided, however, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease.*

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs (f) (1) and (f) (2).* (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to the quota of a lower priced line of the same type of civilian footwear.

Any person may add 100% of the unused portion of his civilian line quota or quotas of men's dress and women's and growing girls' shoes to his quotas of the types shown below:

Type:

Men's work shoes  
Youths' and boys' shoes  
Misses' and children's shoes  
Infants' shoes

In no event shall any unused quota be added to a higher priced line.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During the four month period beginning September 1, 1945, or in any subsequent four month period a manufacturer whose total production for the period will be less than \$200,000 (based on wholesale value) is not subject to paragraph (f) (1), provided that no new higher priced lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 40%. The exemption in this paragraph shall not apply to a manufacturer affiliated, as a subsidiary or otherwise with another or others. This paragraph shall not authorize any manufacturer to increase his production by more than 40% in any line consisting of less than 50 pairs or 2% of his total production of that type of footwear (whichever is greater) during the base period.

(v) Paragraphs (f) (1) and (f) (2) shall not apply to footwear for the physically maimed or deformed on a custom-made basis and not for stock, to wood sole clogs utilizing no leather, to shearling or fur house slippers utilizing no other leather (except for outsoles), or to footwear shown on the following schedule if manufactured for sale at or below the net wholesale prices shown opposite the respective types:

Type:	Maximum net wholesale price per pair
Misses' and children's	\$1.75
Youths' and boys' (without leather)	1.90
Youths' and boys' (utilizing leather)	2.50
Women's and growing girls' (including safety) (without leather)	1.90
Women's and growing girls' (including safety) (utilizing leather)	2.50
Men's work, dress and safety (without leather)	1.90
Men's work, dress and safety (utilizing leather)	3.00
House slippers (with or without leather)	1.60
Infants', sizes 0-4 (utilizing leather)	.90
Infants', sizes 0-4 (made without leather)	.75
Infants', sizes 4 1/2 to 8 (with or without leather)	1.35

*Note:* For the purposes of this schedule, footwear utilizing no leather except for heel top lifts shall be considered as having been made without leather.

However, any person who wishes to produce shoes under the exemption given above for footwear produced at or below the specified maximum net wholesale prices must notify the Civilian Production Administration by letter, stating the types of shoes to be made, the materials to be used, the proposed price ranges within the maximum net wholesale prices specified above, and his estimated 4 months' production. A person who has not previously produced shoes in the proposed price ranges must obtain specific price approval from the Office of

Price Administration if he must price the shoes under section 2 (b) of the General Maximum Price Regulation. In this event he must submit with his letter evidence of the specific price approval by the Office of Price Administration. In no case may a person commence the production of shoes under the exemption given above for footwear produced at or below the specified maximum net wholesale prices until he has received acknowledgement from the Civilian Production Administration of the receipt of the letter of intention to produce.

(vi) The Civilian Production Administration may authorize transfers of quotas of footwear from one line or type to any other line or type and new or additional production in each line or type. It will in general be the policy of the Civilian Production Administration to authorize new or additional production in lines which will not require materials, components, facilities or labor needed for war purposes, and will not otherwise adversely affect or interfere with production for war or essential civilian purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of shoes during the base period.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. Authorization of production of new lines under this paragraph will be made only with the condition that production may not begin until evidence is furnished of conformity with applicable Office of Price Administration regulations.

The Civilian Production Administration will issue footwear manufacturers' quota numbers for quotas authorized by the Civilian Production Administration or established because of base period production.

Production in new price lines, or increased production in established lines, may be granted by the Civilian Production Administration to cover production of civilian footwear purchased by or on behalf of United Nations Relief and Rehabilitation Administration or any other agency for foreign relief purposes.

(vii) Manufacturers qualifying for an increase in price on footwear with non-marking synthetic rubber soles, or soles and heels, under Order No. 13 under § 1499.3 (e) (3) of General Maximum Price Regulations, issued by the Office of Price Administration, may disregard such increase for the purposes of this paragraph (f). However, where the increase results in production of shoes in a higher price line, the number of pairs so produced shall be reported separately on the manufacturer's production report at the actual price, as indicated in the revised directions to said form.

(viii) Where a manufacturer produced in his base period a line of misses' and children's footwear of less than 50 pair or 2% of his total production of that type, he may increase his production of this line in any four month period to not more than six times his lawful production of the line in January, 1945. *Provided*, that, he deducts the production in excess of 100% of his base period production in this line from his other lines of misses' and children's shoes.

(ix) Any person with an established quota or quotas for the production of women's and growing girls' shoes may produce up to 10% of his aggregate quota or quotas in women's all-over genuine reptile (including frog) shoes in any line or lines at a net wholesale price of \$4.50 per pair or less, provided that the number of pairs of shoes produced under this paragraph (f) (3) (ix) is counted as production against the quota for that line or those lines, if any. In the event that there is no quota in a line in which such shoes are being produced, or that the number of pairs in the quota for that line does not equal the number of all-over genuine reptile (including frog) shoes produced, the number of such shoes produced must be counted as production against the quota for that line, if any, and for the next lower lines in descending order as to price as far as is necessary, and exhausting the quota of each line before proceeding to the next lower line. Records must be kept of the number of all-over genuine reptile shoes produced in each line.

(x) Subject to the rules stated in this paragraph (f) (3) (x), any person who has no quota for the production of footwear, may produce for the four month period beginning September 1, 1945, and for each subsequent four month period, 24,000 pairs in any line or lines; any person whose civilian line quotas total less than 24,000 may increase his quota to 24,000 pairs in any line or lines for the same four month period; and any person whose aggregate quotas total more than 24,000 pair may transfer up to 24,000 pairs to any line or lines.

A person who has no quota, and a person whose production under this paragraph (f) (3) (x) will result in the manufacture of a type for which he has no quota or in a price range higher than his highest established price range for the same type of footwear, must obtain evidence of specific approval of his prices from the Office of Price Administration if he must price the shoes under Section 2 (b) of the General Maximum Price Regulation and submit it by registered mail to the Civilian Production Administration, Textile Division, Washington 25, D. C., Ref.: M-217, together with a letter stating the number of pairs he intends to produce in each new price range and new type, and the kinds of materials he intends to use.

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board

or the Civilian Production Administration may not be revised, except to bring them into conformity with this order.

(g) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Records*. All persons affected by this order shall keep and preserve records concerning their operations in accordance with § 944.15 of Priorities Regulation 1.

(i) *Reports*. All persons affected by this order shall file such reports and questionnaires as may be requested by the Civilian Production Administration subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Civilian Production Administration, Textile Division, Washington 25, D. C., Ref.: M-217.

(k) *Violations*. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of November 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

NOTE: Schedule I deleted Nov. 28, 1945.

INTERPRETATION 1; Revoked August 27, 1945.  
INTERPRETATION 2; Revoked August 7, 1945.  
INTERPRETATION 3; Revoked August 26, 1944.  
INTERPRETATION 4; Revoked May 1, 1945.  
INTERPRETATION 5; Revoked June 14, 1945.  
INTERPRETATION 6; Superseded Nov. 9, 1944.  
INTERPRETATION 7; Superseded Nov. 9, 1944.

[F. R. Doc. 45-21420; Filed, Nov. 28, 1945;  
11:41 a. m.]

## Chapter XI—Office of Price Administration

### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 257; Amdt. 6]

#### PULPWOOD PRODUCED IN THE STATES OF MINNESOTA, MICHIGAN AND WISCONSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 257 is amended in the following respects:

<sup>1</sup> 8 F.R. 12479; <sup>2</sup> 9 F.R. 5909, 12263; 10 F.R. 7243.

1. In Appendix A (a) (1), the table of prices is amended to read as follows:

Species	Rough	Peeled or rossed
Spruce pulpwood	\$16.50 17.50	\$20.00 121.20
Falsam pulpwood	14.50 15.40	18.00 19.10
Jack pine pulpwood	12.75	15.75
Hemlock pulpwood	12.25	15.00
Poplar pulpwood	10.00 11.25	13.25 15.50
Other hardwood pulpwood	10.00 11.25	13.50 15.50

<sup>1</sup> For 133 cubic feet of properly piled wood in 50" lengths produced in Cook County in the State of Minnesota.

<sup>2</sup> For 147 cubic feet of properly piled wood in 55" lengths.

2. In section 8 (a), subparagraph (4) is amended to read as follows:

(4) "Pulpwood" means any spruce, balsam fir, hemlock, jack pine, tamarack, poplar or any other northern hardwood sold for manufacture into woodpulp.

3. In section 8 (a), subparagraph (10) is amended to read as follows:

(10) "Other northern hardwood" includes all northern hardwood pulpwood species except poplar.

This amendment shall become effective November 29, 1945.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21523; Filed, Nov. 29, 1945;  
11:41 a. m.]

## PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 584; Incl. Amdt. 1-4]

### FEATHER FILLED PILLOWS AND UPHOLSTERY CUSHION INNERCASINGS

This compilation of Maximum Price Regulation 584 includes Amendment 4, effective December 3, 1945. Additions and amendments by Amendment 4 are indicated by underscoring or notes.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and the regulation will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and of Executive Orders Nos. 9250 and 9328.

The Price Administrator has advised and consulted with members of the industry which will be affected by this regulation, and he has given consideration to their recommendations.

<sup>1</sup> 10 F.R. 4350.

<sup>2</sup> Statement of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

## ARTICLE I—WHAT THIS REGULATION COVERS

Sec.

1. Articles covered by this regulation.
2. Transactions covered by this regulation.

## ARTICLE II—SALES BY MANUFACTURERS

3. Maximum prices for sales of new pillows by manufacturers to retailers and to institutional users.
4. Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade.
5. Maximum prices for sales of new pillows and new upholstery cushion innercasings by manufacturers to jobbers and to government agencies.
6. Tagging.
7. Manufacturers' invoices.
8. Manufacturers to calculate maximum prices on retail sales of new pillows.
9. Tolerance.
10. Maximum prices of manufacturers where provision is not otherwise made.

## ARTICLE III—SALES BY JOBBERS

11. Maximum prices for sales by jobbers.
12. Jobber's invoices.

## ARTICLE IV—SALES BY RETAILERS

13. Maximum prices for sales by retailers.
14. Charges for credit.
15. Sales slips and receipts.

## ARTICLE V—GENERAL PROVISIONS

16. Definitions.
17. Taxes.
18. Export sales.
19. Compliance with the regulation.
20. Petitions for amendment.
21. Geographical applicability.

## APPENDIX A

(a) Maximum prices for sales of new pillows by manufacturers to retailers and to institutional users.

(b) Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade.

AUTHORITY: § 1373.5 issued under 56 Stat. 23,765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

## ARTICLE I—WHAT THIS REGULATION COVERS

SECTION 1. *Articles covered by this regulation.* (a) This regulation covers all new pillows, and new upholstery cushion innercasings, filled in whole, or in part, with new or secondhand feathers or down.

Maximum prices for sales of used pillows or used upholstery cushion innercasings are not covered by this regulation, but are fixed by the provisions of Maximum Price Regulation No. 429<sup>8</sup> as to used pillows and by the General Maximum Price Regulation<sup>9</sup> as to used upholstery cushion innercasings.

(b) When used in this regulation, the following terms have the following meanings:

(1) "Pillow" means any bag or case used to support the head when sleeping, made of fabric and filled or stuffed in whole, or in part, with feathers or down.

[Subparagraph (1) amended by Am. 4, effective 12-3-45]

(2) "Upholstery cushion innercasing" means any bag or case of the type and shape used as a component part of upholstered furniture or of dual-purpose

sleeping equipment, made of fabric and filled or stuffed in whole, or in part, with feathers or down.

(3) "Processed secondhand feathers and down" means secondhand feathers and down which have been processed so that they meet the processing specifications set forth in Maximum Price Regulation No. 318<sup>10</sup> and in Section 6.1 of Supplementary Regulation No. 14J<sup>11</sup> to the General Maximum Price Regulation; and those specifications are incorporated by reference into this regulation as if they were set forth here in detail.

**Sec. 2. Transactions covered by this regulation—(a) Sales.** This regulation establishes maximum prices for all offers, sales and deliveries made by any person of new pillows and new upholstery cushion innercasings, on and after the effective date of this regulation.

(b) *Purchase in the course of trade or business.* This regulation covers every purchase in the course of trade or business in connection with a sale covered by this regulation.

(c) The term "person" includes an individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any other government, or any of their political subdivisions.

## ARTICLE II—SALES BY MANUFACTURERS

**Sec. 3. Maximum prices for sales of new pillows by manufacturers to retailers and to institutional users.** (a) Maximum prices for most sales of new pillows by manufacturers to retailers and to institutional users are set forth in paragraph (a) of Appendix A.

(b) The maximum price for the sale by a manufacturer to a retailer or to an institutional user of any new pillow, not provided for in paragraph (a) of Appendix A shall be calculated under section 10 of this regulation.

**Sec. 4. Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade.** (a) Maximum prices for most sales of new upholstery cushion innercasings by manufacturers to the furniture trade are set forth in paragraph (b) of Appendix A.

(b) The maximum price for the sale by a manufacturer to the furniture trade of any new upholstery cushion innercasing, not provided for in paragraph (b) of Appendix A, shall be calculated under section 10 of this regulation.

**Sec. 5. Maximum prices for sales of new pillows and new upholstery cushion innercasings by manufacturers to jobbers and to government agencies.** The manufacturer's maximum price for sales of an article covered by this regulation to jobbers and to government agencies shall be his appropriate maximum price established by section 3, 4 or 10, less a discount of 10 percent.

**Sec. 6. Tagging.** (a) (1) After the effective date of this regulation no manufacturer shall sell, offer to sell or deliver

a new pillow unless the appropriate tag, described in paragraph (b) of this section, is attached to it, except that pillows sold to the United States Government, pursuant to a contract between it and the manufacturer, need not be tagged. [Subparagraph (1) amended by Am. 1, 10 F.R. 6801, effective 5-11-45]

(2) After the expiration of 120 days from the effective date of this regulation, no jobber or retailer shall sell, offer to sell or deliver any new pillow unless the appropriate tag, described in paragraph (b) of this section, is attached to it.

[Subparagraph (2) amended by Am. 3, 10 F.R. 7634, effective 8-22-45]

(3) No person shall sell or buy or offer to sell or buy any new pillow to which a tag must be attached unless such tag is actually attached to it.

(4) The tag referred to in this section shall not be removed before delivery to the ultimate consumer.

(b) (1) Except as provided in (2) and (3), below, the tag shall be of durable white cloth, stating the following items in the sequence listed, or in any other sequence approved by letter from the Office of Price Administration, Washington, D. C. The type sizes listed below must be used, and all blank spaces must be properly filled in.

Gothic type size	
Space to attach	12 point (capitals).
Mfrs. name or Reg. No.:	8 point (small).
Designation of pillow:	12 point (capitals).
Finished size:	12 point (capitals).
Gross weight:	14 point (capitals).
This pillow contains $\frac{1}{2}$ second hand filling materials. <sup>12</sup>	14 point (capitals).
OPA retail ceiling price, \$.	8 point (small).
If sold in the Far West zone as defined in MPR 584, cents may be added to the above price. <sup>13</sup>	8 point (small).

<sup>12</sup> If the filling components are all new filling materials, substitute "This pillow contains all new filling materials" in 14 point Gothic type (capitals).

<sup>13</sup> If the pillow is not sold in the Far West zone, as defined in paragraph (c) (2) (iii) of Appendix A, this clause need not be on the tag or label.

[Subparagraph (1) amended by Am. 4, effective 12-3-45]

(2) If the tag is affixed by a retailer to pillows in his inventory on April 28, 1945, which he has reported to the Office of Price Administration pursuant to section (13 (a) (2) (ii)), the tag shall state such information as shall be specified by the Office of Price Administration in the order establishing the retailer's maximum prices for sales of those pillows.

[Paragraph (b) amended by Am. 1, 10 F.R. 6801, effective 5-11-45; and Am. 2, 10 F.R. 7252, effective 6-14-45 and as otherwise noted]

(3) If the manufacturer shipped the pillows prior to December 3, 1945, and if he has attached to such pillows or if he has furnished to jobbers or retailers, tags in the form set forth in section 6 (b) (1) prior to its amendment on December 3, 1945, then with respect to those pillows, the manufacturer shall be considered as having fully complied with the tagging requirements of this regulation; and new tags need not be affixed to such pillows.

[Subparagraph (3) added by Am. 4, effective 12-3-45]

<sup>8</sup> 9 F.R. 10420, 13716.

<sup>9</sup> 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

(c) Every manufacturer shall identify each kind of pillow which he manufactures by a specific name, number or other designation, and he shall keep a record of such name, number or other designation and a description of each kind of pillow (containing all the information listed in section 7 (a) (1) except item (ii)), for examination by the Office of Price Administration.

**SEC. 7. Manufacturer's invoices.** (a) After the effective date hereof, every manufacturer selling any article covered by this regulation shall furnish to each purchaser an invoice or other written evidence of sale and purchase showing:

The date of purchase.

The terms of sale and the selling price.

The seller's name and address.

The purchaser's name and address.

(1) If the article sold is a new pillow, such invoice or other written evidence of sale and purchase shall state, also, for each kind of pillow:

- (i) The name, number or other specific designation of the pillow.
- (ii) The number of articles sold.
- (iii) The weight of the feather filling, per pillow.
- (iv) The percentage by weight of each filling component (using the classifications employed in computing the filling allowance).
- (v) The class of cover fabric.
- (vi) Tailoring extras (if any).
- (vii) Finished size.
- (viii) Packing extras (if any).
- (ix) The maximum price.
- (x) West Coast differential (if any).

(2) If the article sold is a new upholstery cushion innercasing, such invoice or other written evidence of sale and purchase shall state, also, for each different upholstery cushion innercasing sold:

- (i) The size class.
- (ii) The number of articles sold.
- (iii) The class of cover fabric.
- (iv) The cover allowance.
- (v) The total filling weight.
- (vi) The percentage by weight of each filling component (using the classifications employed in computing the filling allowance).
- (vii) The filling allowance.
- (viii) The maximum price (item iv) plus item (vii).
- (ix) West Coast differential, (if any).

**SEC. 8. Manufacturers to calculate maximum prices on retail sales of new pillows.** Each manufacturer shall calculate the maximum price for sales by retailers of a single pillow, manufactured by him, by multiplying his maximum price on the sale of that single new pillow (exclusive of the Far West Zone and quantity differentials) by 175 percent in the case of new pillows filled with chicken or turkey feathers or fibre, or mixtures thereof with crushed waterfowl quills, and by 180 percent in the case of all other pillows. The Far West Zone differential provided in paragraph (c) of Appendix A shall be added to such retail price. The price, so calculated, may be rounded to the nearest five cents. However, if the price so calculated results in a figure exactly midway between the next higher and next lower five cents, it

shall be rounded to the next lower five cents.

[Sec. 8 amended by Am. 4, effective 12-3-45]

**SEC. 9. Tolerance.** Because of the peculiar nature of the manufacturing process and the inexactness unavoidable in a sampling analysis, manufacturers are allowed a tolerance of 5 percent from the net filling weight stated on the invoice of sale of any particular pillow or upholstery cushion innercasing, and a tolerance of 10 percent from the per pound value of the components in the filling mixture stated on the invoice of sale of any particular pillow or upholstery cushion innercasing, except that the specification of a filling mixture upon which a maximum price is based shall not conflict with any declaration of specifications for that mixture made on a tag or other writing attached to the pillow whether or not it is required by any State law.

**SEC. 10. Maximum prices of manufacturers where provision is not otherwise made.** After the effective date of this regulation, a manufacturer shall not sell, offer to sell or deliver any article covered by this regulation for sales of which a maximum price has not been established in Appendix A, hereof, until he has applied by letter to the Office of Price Administration, Durable Goods Price Branch, Washington 25, D. C., for the establishment of a maximum price for sales to retailers, institutional users or to the furniture trade in line with the level of prices established by this regulation.

(a) The application shall set forth:

(1) The name, number or other designation of the article.

(2) The size of the article.

(3) The gross weight and the net filling weight of the article. (In the case of pillows, the net filling weight shall be determined from the minimum filling weight of the nearest listed size in Appendix A as the relationship based on the proportion of the surface area of the pillow being priced to the surface area of that nearest listed pillow. No account will be taken of any filling weight in excess of the net filling weight so determined. If the filling material of the pillow being priced is new waterfowl feathers or down, the nearest listed size in Appendix A is that size listed for a pillow filled with second-hand waterfowl feathers or down containing the most similar percentages of filling components.)

[Subparagraph (3) amended by Am. 4, effective 12-3-45]

(4) A statement of whether the filling components are new or secondhand.

(5) A statement of each component of filling materials used and the percentage by weight of each component.

(6) A computation of the value of the filling shall be made in the manner set forth in paragraph (b) (1) of Appendix A. However, if the components of the filling material consist of feathers and downs and other materials, then, the

value of the filling material shall be determined in the following manner:

(i) The value of the feathers and down components shall be determined in the manner set forth in paragraph (b) (1) of Appendix A, and the value of the other components shall be calculated by multiplying the supplier's maximum price for his sale of the filling material to the pillow manufacturer by 135%. If the invoice price of the filling material to the pillow manufacturer is less than his supplier's maximum price, then the invoice price shall be used in place of the supplier's maximum price.

[Subparagraph (6) amended by Am. 1, 10 F.R. 6801, effective 5-11-45]

(7) A statement of the cost of the fabric cover, based on the f. o. b. mill maximum price or based on cost to the manufacturer, whichever is lower.

(8) The proposed maximum price on sales to retailers and institutional users which shall be the sum of the following:

#### Pillows

- (i) The value of the filling
- (ii) A cover allowance determined from the following table:

Finished pillow size (inches)	Cover allowance			
	Class I fabric	Class II fabric	Class III fabric	Class IV fabric
12 x 16.....	\$0.30	\$0.26	\$0.36	\$0.41
16 x 24.....	.60	.52	.72	.82
17½ x 21.....	.60	.52	.72	.82
17 x 24.....	.65	.56	.78	.90
17 x 25.....	.65	.56	.78	.90
18 x 24.....	.65	.56	.78	.90
18 x 25.....	.65	.56	.78	.90
18 x 26.....	.65	.56	.78	.90
17 x 27.....	.65	.56	.78	.90
19 x 25.....	.70	.60	.84	.98
19 x 26.....	.70	.60	.84	.98
20 x 26.....	.70	.60	.84	.98
17 x 30.....	.70	.60	.84	.98
20 x 27.....	.75	.65	.90	1.05
21 x 27.....	.75	.65	.90	1.05
22 x 28.....	.80	.70	.95	1.10
19 x 34.....	.85	.75	1.00	1.15
20 x 36.....	.95	.85	1.10	1.25
21 x 36.....	.95	.85	1.10	1.25
21 x 39.....	1.05	.95	1.20	1.35
21 x 54.....	1.50	1.30	1.80	2.10

**NOTE:** For sizes with a surface area intermediate to the surface area of the sizes, listed above, the cover allowance of the listed size with the nearest surface area shall be used. For other sizes, use 125 percent of the cost of the fabric cover, not exceeding the maximum price of the cover on sales to the manufacturer, plus incoming freight.

[Subdivision (ii) amended by Am. 4, effective 12-3-45]

(iii) The sum of \$0.34, per pair.

(iv) Tailoring extras or packing extras if any. If a particular extra is listed in one of the tables in Appendix A, use the maximum price differential set forth in the table for that extra. If a particular extra is not so listed, the manufacturer may apply for the establishment of a maximum price differential for the extra pursuant to paragraph (a) (4) of Appendix A.

[Subparagraph (iv) amended by Am. 4, effective 12-3-45]

(If a Far West Zone differential is added to or any of such extras are included in the proposed maximum price, the nature thereof must be set forth in the application.)

[Above paragraph amended by Am. 4, effective 12-3-45]

*Upholstery Cushion Innerscasings*

- (v) The value of the filling
- (vi) The cost of the fabric cover multiplied by 125 percent
- (vii) The appropriate one of the following sums:

Size class	Amount
A <sup>1</sup>	\$0.40
B <sup>1</sup>	.60
C <sup>1</sup>	.80
D <sup>1</sup>	1.20

<sup>1</sup> Letter reference is to the designations in Table VI of paragraph (b) (2) of Appendix A.

(If a Far West Zone differential is added to the proposed maximum price, the nature thereof must be set forth in the application.)

[Above paragraph amended by Am. 4, effective 12-3-45]

(b) In the absence of a contrary direction from the Office of Price Administration within 15 days after mailing his application, the manufacturer may offer the article in question for sale at the proposed maximum price stated therein. If such proposed maximum price is correctly computed it shall be subject to adjustment (but not retroactively), at any time by order of the Office of Price Administration if it appears that the maximum price so established is out of line with the general level of prices established by this regulation. If the price is incorrectly computed, the maximum price for a sale, offer to sell, or delivery of an article made pursuant to the incorrect report shall be the maximum price which is properly computed under the formula contained in this section.

## ARTICLE III—SALES BY JOBBERS

SEC. 11. *Maximum prices for sales by jobbers.* (a) (1) The maximum price of a jobber for his sale of any article received after the effective date of this regulation shall be 125 percent of either the maximum price of the manufacturer for his sale of the particular article, or of the actual net invoice price, to the jobber, whichever is lower, plus the freight charge paid by the jobber for delivery to him.

(2) In many instances, jobbers will be holding new pillows in their inventories on the effective date of this regulation. For a period ending 120 days after the effective date of this regulation, the maximum price of a jobber for his sales of such pillows shall be his maximum price under the General Maximum Price Regulation.

(i) Prior to the termination of the 120-day period referred to in subparagraph (2), above, the jobber may request the manufacturer to furnish him with tags in the form described in section 6, and he shall attach the appropriate tag to each such pillow he sells. The tag shall set forth the maximum price for retail sales of the particular pillow which the manufacturer shall determine as if the pillow had been sold by him after the effective date of this regulation. The maximum price of the jobber f. o. b. seller's city shall be 64 percent of such retail maximum price.

(ii) However, if the jobber does not secure such a tag from the manufacturer, or if the 120-day period has expired and the jobber continues to have untagged pillows in inventory he shall send a sam-

ple to the Office of Price Administration, Durable Goods Price Branch, Washington 25, D. C., and the Office of Price Administration will establish a maximum price for sales by the jobber and by retailers of such pillows, which price will be in line with the prices established by this regulation. After August 26, 1945, the jobber shall not sell any such pillows unless a tag is attached in the form described in section 6.

[Subparagraph (2) amended by Am. 3, 10 F.R. 7634, effective 6-22-45]

(b) The maximum prices established in this section are for sales by jobbers to that class of purchaser to which the jobber sold the greatest quantity of the particular article prior to the effective date of this regulation. To such prices, a jobber shall apply all differentials, discounts, trade allowances and terms and conditions of sale which he allowed on sales of the same type of article, during March 1942.

SEC. 12. *Jobber's invoice.* Every jobber selling any article covered by this regulation shall furnish each purchaser for resale with an invoice or other similar written evidence of sale and purchase showing the date of purchase, the seller's name and address, the purchaser's name and address, the terms of sale, the name, number or other specific designation of the article purchased, the size class of the article purchased, the quantity purchased and the price charged per unit. This invoice or other written evidence of sale and purchase must be kept by every purchaser for resale and the jobber shall retain a copy for inspection by the Office of Price Administration.

## ARTICLE IV—SALES BY RETAILERS

SEC. 13. *Maximum prices for sales by retailers.* (a) (1) The maximum price of a retailer for his sale of any new pillow to which a tag setting forth the retailer's maximum price has been affixed pursuant to this regulation shall be the price properly stated to be the retailer's maximum price on the tag attached to the pillow.

(2) In many instances, retailers will be holding new pillows in their inventories on the effective date of this regulation to which no retail maximum price tag shall have been attached. For a period ending 120 days after the effective date of this regulation, the maximum price of a retailer for his sales of such pillows shall be his maximum price under the General Maximum Price Regulation.

(i) Prior to the termination of the 120-day period referred to in subparagraph (2), above, the retailer may request the manufacturer to furnish him with tags in the form described in section 6, and he shall attach the appropriate tag to each such pillow he sells. The tag shall set forth the maximum price for retail sales of the particular pillow which the manufacturer shall determine as if the pillow had been sold by him after the effective date of this regulation. The maximum price of the retailer shall be the retail maximum price properly stated on such tag.

[Subparagraph (2) amended by Am. 3, 10 F.R. 7634, effective 6-22-45]

(ii) However, if the retailer does not secure such a tag from the manufacturer, or if the 120-day period has expired, and the retailer continues to have untagged pillows in inventory, he shall submit a signed report in duplicate to the District Office of the Office of Price Administration having jurisdiction over the retailer's place of business, setting forth the following with respect to each type, kind and size-class of untagged pillows remaining in his inventory on the date of the report:

The date of the report.

The retailer's name and address.

The number of untagged pillows in inventory on the date of the report.

The name and address of the manufacturer (if known).

The name and address of the retailer's supplier.

The manufacturer's name, number or other designation of the pillows.

The size-class of the pillows.

The components of the filling mixture, and a statement of whether such components are new or second-hand, (if known).

The date the pillows were acquired by the retailer.

The net invoice price of the pillows, per unit, to the retailer.

After receipt of such report, the Office of Price Administration will issue an order establishing retail ceiling prices for sales of the pillows described in the report, which prices will be in line with the level of retail ceiling prices otherwise established by this regulation.

The order will direct the retailer to affix a retail ceiling price tag to the pillows which it covers and, after August 26, 1945, no person shall sell any such pillows for which a retail ceiling price has been so established unless a tag in the form described in the order is attached thereto.

Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator may issue orders under this section establishing retail ceiling prices in accordance with the terms of this section.

[Subdivision (ii) amended by Am. 2, 10 F.R. 7252, effective 6-14-45; and Am. 3, 10 F.R. 7634, effective 6-22-45]

SEC. 14. *Charges for credit—(a) Credit charges.* Charges for the extension of credit may be added to the retail ceiling prices established by this regulation only as follows:

(1) Sellers who, prior to the effective date of this regulation, collected a separately stated additional charge for the extension of credit on sales of new pillows, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in effect prior to the effective date of this regulation on a similar sale on similar terms to the same class of purchaser.

(2) Sellers, who did not so state and collect an additional charge, may collect a charge for the extension of credit only on installment-plan sales, and such charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser prior to the effective date of this regulation by the seller's closest competitor who made such a separately stated charge. An installment-plan sale

is a sale where the unpaid balance is to be paid in installments over a period of either (i) six weeks or more from the date of sale in the case of weekly installments, or (ii) eight weeks or more in the case of other than weekly installments.

(3) All charges for the extension of credit shall be quoted and stated separately.

(4) No seller may require as a condition of sale, that the purchaser must buy on credit.

**SEC. 15. Sales slips and receipts.** A retailer who customarily gave a purchaser a sales slip, receipt, or other similar evidence of purchase must continue to do so. Upon request, all retailers must give the customer a receipt showing the date of purchase, the retailer's name and address, the name, number or other designation of the pillow or upholstery cushion innercasing, the price paid and the kind and amount of any additional charge.

#### ARTICLE V—GENERAL PROVISIONS

**SEC. 16. Definitions.** When used in this regulation, the following terms shall have the following meanings:

(a) "Manufacturer" means the person who makes the first sale of the article after it is ready for sale.

(b) "Jobber" means any person who is engaged in the business of buying dry goods, pillows, cushions or other similar items from manufacturers and reselling them to retail dealers, hospitals, hotels or other institutional users.

(c) "Retailer" means any person who sells pillows or cushions to the ultimate user.

(d) "Furniture trade" means manufacturers of bedding or furniture, and industrial users.

**SEC. 17. Taxes.** Any tax upon or incident to the sale of any commodity covered by this regulation imposed by any statute or ordinance may be added to the maximum price established by this regulation: *Provided*, That the tax is separately stated and charged. The charge for stamps affixed to any commodity pursuant to State law is not a tax within the meaning of this section and no charge therefor may be added to the maximum price otherwise provided.

**SEC. 18. Export sales.** The maximum price at which persons may sell any commodity covered by this regulation for export is established by Second Revised Maximum Export Price Regulation.

**SEC. 19. Compliance with the regulation—(a) No selling or buying above maximum prices.** Regardless of any contract or other obligation, no person shall sell or deliver any commodity covered by this regulation, to any other person, and, in the course of trade or business, no person shall buy or accept delivery of any commodity covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things. Prices lower than the maximum prices may be charged or paid.

<sup>1</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432, 6590, 8746, 8611, 9586, 10029.

Any charge which is not quoted and billed separately shall, for the purpose of this regulation, be considered as part of the price charged for the article sold.

(b) *Certain practices forbidden.* The following are expressly forbidden:

(1) Any practice or device which has the effect of getting a higher-than-maximum price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-maximum price. This applies, for example, to devices making use of commissions, services, tying agreements and the like.

(2) Removal of a retail ceiling price tag from an article covered by this regulation before it is sold at retail.

(c) *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,<sup>2</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(e) *Maximum prices for sales made without required OPA price approval.* If any person covered by this regulation who is required to file a report or application with the Office of Price Administration for approval of a maximum price violates that requirement by making sales or deliveries of the article before the maximum price is approved, the seller's maximum price for these sales or deliveries is the maximum price subsequently approved by the Office of Price Administration, or the properly computed price based upon that maximum price, whichever the applicable provision of the regulation requires.

(f) *Record keeping.* All records required by section 6 and section 12 of this regulation shall be kept for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

**SEC. 20. Petitions for amendment.** Any person seeking a modification of any provision of this regulation or any exception not provided for herein may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1<sup>3</sup> issued by the Office of Price Administration.

**SEC. 21. Geographical applicability.** The provisions of this regulation shall be applicable in the forty-eight states and the District of Columbia of the United States.

#### APPENDIX A

(a) *Maximum prices for sales of new pillows by manufacturers to retailers and to institutional users—(1) General rules to be followed in determining maximum prices.*

<sup>2</sup> 8 F.R. 13240.

<sup>3</sup> 9 F.R. 10476, 13715; 10 F.R. 11295.

In determining maximum prices for sales of new pillows, it is necessary for the manufacturer to ascertain the size of the pillow and the specific content and weight of the filling in the pillow.

(i) Whenever reference is made in this regulation to "size", finished size is intended, measured in lineal inches from seam to seam before filling, and not "cut" size.

(ii) Whenever reference is made in this regulation to "filling weight", the minimum dry filling weight for the particular size of pillow is intended. A pillow filling is "dry" when it does not lose weight through evaporation of moisture while in shipment or in storage. Filling weights shall not be less than, although they may exceed, the minimum filling weights specified herein.

(iii) The maximum prices established herein are prices, per pair, for a single size and kind of pillow f. o. b. the manufacturer's regular metropolitan free delivery area, packed for shipment.

(iv) The per pound value of the filling mixture shall be determined by multiplying the actual weight of each kind of feather and down component by the appropriate maximum prices specified in Maximum Price Regulation No. 318 or in section 6.1 of Supplementary Regulation No. 14J to the General Maximum Price Regulation.

Where any new pillow contains less than the minimum filling weights specified in Tables I-a, I-b, and II below, the maximum prices established therein shall be reduced by the maximum price of the weight deficit.

(2) *Fabric cover classifications.* Fabric covers for new pillows are classified as follows:

(i) "Class I" which includes 8-ounce ACA twill, and all fabrics whose maximum price f. o. b. mill, is from 20 cents to 24.99 cents per yard.<sup>4</sup>

(ii) "Class II" which includes 6.2-ounce ACA twill, 3.25-ounce printed floral drills, and all fabrics whose maximum price f. o. b. mill, is from 17 cents to 19.99 cents per yard.<sup>5</sup>

(iii) "Class III" which includes 6 ounce to 7 ounce woven or printed, striped or floral sateen and all fabrics whose maximum price f. o. b. mill, is from 25 cents to 29.99 cents per yard.<sup>6</sup>

(iv) "Class IV" which includes 8 ounce woven or printed, striped or floral sateen and all fabrics whose maximum price f. o. b. mill, is 30 cents to 35 cents per yard.<sup>7</sup>

(3) *Differential and extras.* (i) The maximum prices established in Tables I-a, I-b and II below, are for new pillows made with Class I fabric. If fabric of a different class is used, the manufacturer shall add to, or subtract from, those maximum prices the appropriate one of the differentials set forth in Table III below.

(ii) The maximum prices, established by this section, may be increased if the pillow is finished with certain tailoring extras. The nature of those extras, and the amount of the permitted increases, are set forth in Table IV below.

(iii) If new pillows are packed, individually or in pairs, in separate containers, the maximum prices established by this section may be increased by the amounts set forth in Table V below.

(4) *Maximum prices.* (i) Tables I-a, and I-b list the maximum prices on all sales by manufacturers to retailers and to institutional users of new pillows, 21 inches by 27 inches in size, with a plain or taped edge, and covered with Class I fabric.

(ii) Maximum prices on sales by manufacturers to retailers and to institutional users on all sales of new pillows with a plain or taped edge, and covered with Class I fabric, in sizes other than 21 inches by 27 inches shall be the maximum price for a new pillow 21 inches by 27 inches in size of the same filling mixture multiplied by the percentage factors specified in Table II.

<sup>4</sup> Price based on 28½-inch width.

TABLE I-A—MAXIMUM PRICES PER PAIR AND MINIMUM FILLING WEIGHTS FOR 21 X 27 SIZE PILLOWS CONTAINING SPECIFIED FILLING MIXTURES OF SECOND-HAND MATERIALS

Mixtures of waterfowl and chicken feathers, by percentage weight composition	Mixtures of clusters and waterfowl fibre by percentage weight composition																					
	100% Cl.		90% Cl. 10% Fl.		80% Cl. 20% Fl.		70% Cl. 30% Fl.		60% Cl. 40% Fl.		50% Cl. 50% Fl.		40% Cl. 60% Fl.		30% Cl. 70% Fl.		20% Cl. 80% Fl.		10% Cl. 90% Fl.			
	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price		
A. 100% waterfowl feathers:																						
0% feathers in mixture	40	\$8.83	42	\$8.47	45	\$8.20	48	\$7.82	52	\$7.46	56	\$6.96	62	\$6.49	68	\$5.81	75	\$4.96	84	\$3.94	96	\$2.65
10% feathers in mixture	42	8.54	45	8.35	48	8.07	51	7.69	54	7.22	58	6.75	64	6.31	70	5.69	77	4.92	85	3.90	96	2.80
20% feathers in mixture	45	8.34	47	8.00	50	7.73	53	7.38	57	7.04	61	6.60	67	6.19	72	5.55	78	4.82	86	3.98	96	2.95
30% feathers in mixture	48	8.05	51	7.85	54	7.58	56	7.13	60	6.82	64	6.40	69	5.96	75	5.46	80	4.76	87	4.09	96	3.11
40% feathers in mixture	52	7.80	54	7.48	57	7.23	60	6.91	64	6.62	67	6.17	72	5.78	77	5.29	82	4.69	88	4.02	96	3.26
50% feathers in mixture	56	7.41	58	7.12	61	6.89	64	6.61	67	6.28	71	5.96	75	5.57	80	5.16	84	4.61	90	4.07	96	3.42
60% feathers in mixture	62	7.09	63	6.74	66	6.54	69	6.30	72	6.01	75	5.69	79	5.37	82	4.95	86	4.53	91	4.09	96	3.57
70% feathers in mixture	68	6.57	69	6.29	72	6.13	74	5.88	77	5.66	80	5.36	82	5.09	85	4.78	89	4.48	92	4.11	96	3.73
80% feathers in mixture	75	5.93	76	5.72	78	5.57	80	5.40	82	5.22	84	5.02	87	4.85	89	4.62	91	4.38	93	4.12	96	3.88
90% feathers in mixture	84	5.16	85	5.05	86	4.95	87	4.84	89	4.77	90	4.65	91	4.53	92	4.40	93	4.27	95	4.17	96	4.04
100% feathers in mixture	96	4.19	96	4.19	96	4.19	96	4.19	96	4.19	96	4.19	96	4.19	96	4.19	96	4.19	96	4.19	96	4.19
B. 90% waterfowl feathers, 10% chicken feathers:																						
0% feathers in mixture	40	8.83	42	8.47	45	8.20	48	7.82	52	7.46	56	6.96	62	6.49	68	5.81	75	4.96	84	3.94	96	2.65
10% feathers in mixture	42	8.52	45	8.34	48	8.06	51	7.67	54	7.20	58	6.73	64	6.30	70	5.67	77	4.90	85	3.94	96	2.77
20% feathers in mixture	45	8.32	47	7.97	50	7.70	53	7.35	57	7.02	61	6.57	67	6.16	72	5.51	78	4.78	86	3.93	96	2.90
30% feathers in mixture	48	8.02	51	7.82	54	7.54	56	7.09	60	6.77	64	6.35	69	5.91	75	5.40	80	4.69	87	3.93	96	3.03
40% feathers in mixture	52	7.74	54	7.42	57	7.17	60	6.85	64	6.55	67	6.10	72	5.71	77	5.21	82	4.61	88	3.93	96	3.16
50% feathers in mixture	56	7.34	58	7.05	61	6.81	64	6.53	67	6.19	71	5.86	75	5.47	80	5.05	84	4.51	90	3.95	96	3.29
60% feathers in mixture	62	6.99	63	6.64	66	6.44	69	6.19	72	5.90	75	5.57	79	5.25	82	4.83	86	4.40	91	3.95	96	3.42
70% feathers in mixture	68	6.45	69	6.16	72	6.00	74	5.74	77	5.52	80	5.22	82	4.94	85	4.63	89	4.32	92	3.94	96	3.55
80% feathers in mixture	75	5.77	76	5.57	78	5.41	80	5.24	82	5.05	84	4.85	87	4.67	89	4.44	91	4.19	93	3.93	96	3.68
90% feathers in mixture	84	4.96	85	4.86	86	4.75	87	4.64	89	4.56	90	4.44	91	4.32	92	4.19	93	4.06	95	3.95	96	3.81
100% feathers in mixture	96	3.94	96	3.94	96	3.94	96	3.94	96	3.94	96	3.94	96	3.94	96	3.94	96	3.94	96	3.94	96	3.94
C. 80% waterfowl feathers, 20% chicken feathers:																						
0% feathers in mixture	40	8.83	42	8.47	45	8.20	48	7.82	52	7.46	56	6.96	62	6.49	68	5.81	75	4.96	84	3.94	96	2.65
10% feathers in mixture	43	8.69	45	8.33	48	8.04	51	7.66	55	7.31	59	6.81	64	6.28	70	5.65	77	4.88	85	3.92	96	2.75
20% feathers in mixture	45	8.27	48	8.10	51	7.81	54	7.44	58	7.09	61	6.53	67	6.12	73	5.54	79	4.78	87	3.92	97	2.87
30% feathers in mixture	49	8.12	51	7.78	54	7.60	57	7.15	61	6.82	65	6.39	70	5.93	75	5.34	81	4.68	88	3.90	97	2.98
40% feathers in mixture	53	7.81	55	7.48	58	7.22	61	6.88	64	6.49	68	6.10	73	5.70	78	5.18	83	4.50	90	3.90	98	3.11
50% feathers in mixture	57	7.37	59	7.07	62	6.83	65	6.53	68	6.18	72	5.84	77	5.49	81	5.00	86	4.48	91	3.87	98	3.21
60% feathers in mixture	62	6.90	64	6.63	67	6.41	70	6.16	73	5.86	76	5.51	80	5.18	84	4.79	88	4.34	93	3.87	98	3.32
70% feathers in mixture	69	6.40	71	6.18	73	5.94	75	5.67	78	5.44	81	5.18	84	4.88	88	4.55	91	4.20	95	3.86	99	3.43
80% feathers in mixture	77	5.74	78	5.52	80	5.35	82	5.17	84	4.97	86	4.76	89	4.57	91	4.33	94	4.10	97	3.96	98	3.52
90% feathers in mixture	87	4.90	88	4.70	89	4.67	90	4.55	92	4.46	93	4.34	94	4.09	96	3.88	97	3.74	98	3.52	100	3.69
100% feathers in mixture	100	3.80	100	3.80	100	3.80	100	3.80	100	3.80	100	3.80	100	3.80	100	3.80	100	3.80	100	3.80	100	3.80
D. 70% waterfowl and 30% chicken feathers:																						
0% feathers in mixture	40	8.83	42	8.47	45	8.20	48	7.82	52	7.46	56	6.96	62	6.49	68	5.81	75	4.96	84	3.94	96	2.65
10% feathers in mixture	43	8.68	45	8.31	48	8.03	51	7.65	55	7.29	59	6.80	64	6.26	70	5.63	77	4.86	85	3.89	96	2.73
20% feathers in mixture	45	8.27	48	8.07	51	7.78	54	7.41	58	7.06	61	6.50	67	6.09	73	5.50	79	4.74	87	3.88	97	2.82
30% feathers in mixture	49	8.08	51	7.74	54	7.46	57	7.10	61	6.77	65	6.34	70	5.87	75	5.28	81	4.61	88	3.83	97	2.90
40% feathers in mixture	53	7.76	53	7.43	58	7.16	61	6.82	64	6.42	68	6.03	73	5.62	78	5.10	83	4.48	90	3.81	98	3.00
50% feathers in mixture	57	7.30	59	7.00	62	6.75	65	6.44	68	6.09	72	5.75	77	5.39	81	4.89	86	4.37	91	3.75	98	3.09
60% feathers in mixture	62	6.80	64	6.53	67	6.31	70	6.05	73	5.74	76	5.40	80	5.06	84	4.66	88	4.20	93	3.72	98	3.17
70% feathers in mixture	69	6.28	71	6.05	73	5.80	75	5.53	78	5.30	81	5.03	84	4.73	88	4.43	91	4.06	95	3.69	99	3.27
80% feathers in mixture	77	5.58	78	5.36	80	5.19	82	5.00	84	4.80	86	4.58	89	4.39	91	4.14	94	3.91	96	3.63	99	3.36
90% feathers in mixture	87	4.70	88	4.58	89	4.46	90	4.34	92	4.25	93	4.12	94	3.85	97	3.60	102	3.30	102	3.22	103	3.06
100% feathers in mixture	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11
E. 50% waterfowl feathers and 50% chicken feathers:																						
0% feathers in mixture	40	8.83	42	8.47	45	8.20	48	7.82	52	7.46	56	6.96	62	6.49	68	5.81	75	4.96	84	3.94	96	2.65
10% feathers in mixture	43	8.66	45	8.29	48	8.01	51	7.62	55	7.26	59	6.77	65	6.31	70	5.60	77	4.82	86	3.88	97	2.69
20% feathers in mixture	46	8.38	48	8.02	51	7.74	54	7.36	58	7.00	62	6.53	67	6.02	73	5.42	79	4.66	87	3.88	97	2.74
30% feathers in mixture	49	8.01	51	7.66	54	7																

shall be the maximum price listed in Table I-a for the pillow with the specifications set forth below:

% of clusters and fibre in mixture, 40;  
70% clusters, 30% fibre.  
% of feathers in mixture, 60; 80% water-fowl, 20% chicken.

TABLE I-B—MAXIMUM PRICES PER PAIR AND MINIMUM FILLING WEIGHTS FOR 21 x 27 SIZE PILLOWS CONTAINING SPECIFIED FILLING MIXTURES OF ALL NEW MATERIALS

Crushed water-fowl quills, percent by weight of filling mixture	Chicken and turkey feathers		Chicken and turkey fibre			
	Weight (ounces)	Price		Weight (ounces)	Price	
		White	Colored		White	Colored
0	96	\$2.18	\$1.90	104	\$2.67	\$2.41
5	96	2.21	1.95	104	2.72	2.48
10	97	2.24	1.98	104	2.78	2.54
15	97	2.32	2.08	104	2.88	2.60
20	98	2.40	2.17	104	2.89	2.67
25	98	2.48	2.26	104	2.95	2.74
30	98	2.55	2.35	104	3.00	2.81
35	99	2.63	2.46	104	3.05	2.87
40	99	2.71	2.55	104	3.10	2.94
45	99	2.79	2.64	104	3.15	3.00
50	100	2.89	2.74	104	3.21	3.08
55	100	2.97	2.83	104	3.26	3.14
60	101	3.05	2.94	104	3.32	3.21
65	101	3.13	3.03	104	3.37	3.28
70	101	3.22	3.12	104	3.42	3.34
75	101	3.30	3.21	104	3.47	3.41
80	102	3.39	3.32	104	3.53	3.48
85	102	3.47	3.41	104	3.58	3.55
90	103	3.56	3.54	104	3.64	3.61
95	103	3.64	3.63	104	3.70	3.68
100	104	3.75	3.75	104	3.75	3.75

NOTE: All weights listed are minimum filling weights in ounces. All prices listed are maximum prices.

If the components of the filling mixture of a pillow contain more than three percent of colored chicken and turkey feathers or fibre, the maximum price of the pillow shall be determined as if such feather and fibre components were one hundred percent colored.

If the filling components of a pillow include both chicken and turkey feathers and chicken and turkey fibre, the price of the pillow shall be determined as if such feather and fibre components were one hundred percent chicken and turkey feathers.

The maximum price for sales to retailers or to institutional users of pillows 21 inches and 27 inches in size containing percentage compositions other than those listed in Table I-B shall be the maximum price of that pillow listed in the table having the percentage composition next lowest to that of the pillow being priced.

[Table I-B notes amended by Am. 1, 10 F.R. 6801, effective 5-11-45. Entire table and notes amended by Am. 4, effective 12-3-45]

TABLE II—MAXIMUM PRICES AND MINIMUM FILLING WEIGHTS FOR NEW PILLOWS OTHER THAN 21" x 27" IN SIZE

Finished pillow size (inches)	Maximum prices		
	Pillows with 10 percent down cluster or more	Minimum filling weights	
		All other pillows	
16 x 24	63	67	57
17 x 24	65	69	60
17 x 25	69	73	64
18 x 24	69	73	64
18 x 25	74	77	69
18 x 26	78	81	75
19 x 25	80	82	76
19 x 26	85	86	82
20 x 26	92	93	90
20 x 27	96	97	94
22 x 28	112	110	115

NOTE: The maximum price and minimum filling weight of sizes with surface area intermediate to the above sizes shall be the maximum price and minimum filling weight of the nearest listed size.

[Table II amended by Am. 1, 10 F.R. 6801, effective 5-11-45. Entire table and note amended by Am. 4, effective 12-3-45]

TABLE III—DIFFERENTIAL IF FABRIC OTHER THAN "CLASS I" FABRIC IS USED

Finished pillows sizes (inches)	Fabric		
	Class II	Class III	Class IV
Sizes, 16 x 24 to and including 22 x 28	\$0.10	\$0.15	\$0.30

[Table III amended by Am. 4, effective 12-3-45]

TABLE IV—TAILORING EXTRAS<sup>1</sup>

Extra feature	Price differential			
	Pillows 12" x 16" and other baby pillow sizes	Pillows 16" x 24" to and including 22" x 28"	Pillows 19" x 34" to and including 21" x 39"	Pillows 20" x 54" and 21" x 54"
Corded edge	\$0.06	\$0.15	\$0.20	\$0.25
Interlining:				
Class II fabric	.26	.75	.95	1.30
All other fabrics	.35	.85	1.15	1.60
Fancy labels	.05	.05	.05	.05

<sup>1</sup> Pillows in sizes intermediate to those listed in this table take the differential of the listed size with the closest surface area.

A person intending to manufacture pillows with tailoring extras other than those listed above shall apply to the Office of Price Administration, Durable Goods Price Branch, Washington 25, D.C., for the establishment of a maximum price differential for such tailoring extras. The application shall set forth:

The date of the application.

The specifications and a complete description of the tailoring extra.

The additional direct labor and material costs in manufacturing the extra over the direct costs of manufacturing the pillows.

The application shall be accompanied by a sample of the tailoring extra.

After receiving the application and sample, the Office of Price Administration will issue an order establishing a maximum price differential for the tailoring extra which will be in line with the level of prices listed in Table IV above. No person may add any differential to his maximum price for any pillow manufactured with a tailoring extra not listed in Table IV until a maximum price differential for such extra has been established by the Office of Price Administration.

[Table IV notes added by Am. 1, 10 F.R. 6801, effective 5-11-45. Entire table and notes amended by Am. 4, effective 12-3-45]

TABLE V—PACKING EXTRAS FOR PILLOWS PACKED SINGLY OR IN PAIRS

Type of containers	Price differentials			
	Pillows 12" x 16" and other baby pillow sizes	Pillows 16" x 24" to and including 22" x 28"	Pillows 19" x 34" to and including 21" x 39"	Pillows 20" x 54" and 21" x 54"
Paper bags	\$0.05	\$0.10	\$0.15	\$0.20
Corrugated cartons	.15	.25	.35	.50
White boxes	.20	.35	.50	.70

NOTE: Pillow sizes intermediate to those listed in this table take the differential of the listed size with the closest surface area.

[Table V and note amended by Am. 4, effective 12-3-45]

(b) Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade. The maximum price for sales of new upholstery cushion innercasings by manufacturers to the furniture trade is the sum of the value of the filling, known as the "filling allowance", plus an allowance for the cover.

(1) In order to determine the filling allowance, the manufacturer shall:

(1) Ascertain the net poundage of each feather component used in the filling according to the classification of feathers and down set forth in Maximum Price Regulation No. 318 and section 6.1 of Supplementary Regulation No. 14J to the General Maximum Price Regulation; and

(ii) Multiply the net poundage of each feather and down component by the appropriate maximum price provided in those regulations; and

(iii) Multiply the product of (ii) by 103 percent. The resultant figure is the filling allowance.

(2) The allowance for covers is set forth in Table VI below:

TABLE VI—UPHOLSTERY CUSHION INNERCASING COVER ALLOWANCES

Class size	Class of fabric			
	Fabric with a mill ceiling between 15 cents and 19.99 cents per square yard	Fabric with a mill ceiling between 20 cents and 24.99 cents per square yard	Fabric with a mill ceiling between 25 cents and 29.99 cents per square yard	Fabric with a mill ceiling over 30 cents per square yard
A. All seat and back cushions for chairs and three-section sofas with widths of 26 inches or less	\$0.70	\$0.80	\$0.90	\$1.00
B. All cushions designed for a two cushion sofa with widths between 30 and 37 inches	1.00	1.20	1.35	1.50
C. One piece love-seat cushions with widths between 45 and 57 inches	1.40	1.60	1.80	3.00
D. One piece sofa cushions with widths of 60 inches or more	2.10	2.40	2.70	3.00

(c) Terms of sale and zone differentials—  
(1) Terms of sale. The maximum prices of manufacturers established by this regulation are f. o. b. point of shipment, and they are subject to a 2 percent discount for payment within ten days, net thirty days. On sales of less than three dozen baby pillows, or of less than one dozen pillows in sizes other than baby pillow sizes, an extra charge of 5 percent may be added to the maximum price otherwise provided.

(2) Far West Zone differential. (1) Manufacturers who manufacture or sell "delivered" in the Far West Zone may add the following charges to their maximum prices:

Article  
Finished pillow size (inches):  
12 x 16 and other baby pillow sizes

16 x 24 to and including 22 x 28

19 x 34 to and including 21 x 39

20 x 54 and 21 x 54

Upholstery cushion inner casings

Far West Zone differential<sup>1</sup>

<sup>1</sup> Pillow sizes intermediate to those listed in this table take the differential of the listed size with the closest surface area.

These differentials may not be added if the filling material contains China duck or goose feathers or down.

(ii) If a pillow is sold in the Far West Zone, the maximum price for a sale by a retailer, calculated under Section 8, may be increased by the following charges:

*Far West Zone differential*

Finished pillow size (inches):

12 x 16 and other baby pillow sizes.	\$0.10 per pillow.
16 x 24 to and including 22 x 28.	\$0.25 per pillow.
19 x 34 to and including 21 x 39.	\$0.30 per pillow.
20 x 54 and 21 x 54.	\$0.40 per pillow.

<sup>1</sup> Pillow sizes intermediate to those listed in this table take the differential of the listed size with the closest surface area.

These differentials may not be added if the filling material contains China duck or goose feathers or down.

(iii) The Far West Zone includes the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming; and the following counties in the state of Texas: Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves and Terrell.

[Paragraph (c) amended by Am. 4, effective 12-3-45]

This regulation shall become effective on April 28, 1945. [Maximum Price Regulation 584 originally issued April 23, 1945]

[Effective dates of amendments are shown in notes following the parts affected]

Note: The record keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21494; Filed, Nov. 28, 1945; 4:43 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,<sup>1</sup> Amdt. 122]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 22.1 is amended by adding the following sentence at the end of the definition of "Rationed food":

Moreover, on and after 12:01 A. M. November 24, 1945, "Foods covered by Revised Ration Order 16" shall not be rationed foods.

This amendment shall become effective November 28, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21490; Filed, Nov. 28, 1945; 4:42 p. m.]

<sup>1</sup> 9 F.R. 13902, 14642, 15048; 10 F.R. 291, 412, 1143, 1537, 2144.

PART 1305—ADMINISTRATION

[Gen. RO 18, Amdt. 6 to Supp. 1]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

Schedule I of Supplement No. 1 is amended in the following respect:

1. Item 8, Schedule I is deleted and Items 8, 9, 10, 11, and 12 are added to read as follows:

	Maximum annual base permitted (No. of pounds)
8. Nuts: Oil	10,000
9. Caramel popcorn: Oil	3,700
Butter	800
Sugar	16,600
10. Mayonnaise to be packed in containers of one quart or less: Oil	43,000
Sugar	600
11. Salad dressing to be packed in containers of one quart or less: Oil	25,000
Sugar	1,200
12. Other	( <sup>1</sup> )

<sup>1</sup> Will be determined by Washington office.

This amendment shall become effective December 3, 1945.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21517; Filed, Nov. 29, 1945; 11:40 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 428,<sup>1</sup> Amdt. 4]

CIDER VINEGAR

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 2b is added to read as follows:

SEC. 2b. *Maximum prices adjusted for 1945 apple costs.* This section increases the maximum prices of processors and secondary packers of cider vinegar to compensate for higher 1945 apple costs. On and after December 4, 1945, maximum prices under this section replace maximum prices under section 2a.

(a) *General rule.* Each maximum price, as adjusted under section 2a (a), is increased by the applicable amount in the following table:

	Products of seller's factory in California, Idaho, Montana, Oregon, or Washington				Products of seller's factory in any other State			
	60-grain basis	50-59 grain	45-49 grain	40-44 grain	60-grain basis	50-59 grain	45-49 grain	40-44 grain
Tank car or tank truck lots, per gallon	\$0.03 <sup>3</sup> <sub>4</sub>				\$0.10			
Barrels, per gallon, cooperage included		\$0.03	\$0.02 <sup>3</sup> <sub>4</sub>	\$0.02 <sup>1</sup> <sub>2</sub>		\$0.08	\$0.07 <sup>1</sup> <sub>2</sub>	\$0.06 <sup>3</sup> <sub>4</sub>
Half-barrels, per gallon, cooperage included	0.03	0.02 <sup>3</sup> <sub>4</sub>	0.02 <sup>1</sup> <sub>2</sub>		0.08	0.07 <sup>1</sup> <sub>2</sub>	0.06 <sup>3</sup> <sub>4</sub>	
Gallons, per dozen	0.37 <sup>3</sup> <sub>4</sub>	0.34	0.30 <sup>1</sup> <sub>2</sub>		0.97 <sup>3</sup> <sub>4</sub>	0.87	0.76 <sup>3</sup> <sub>4</sub>	
Half-gallons, per dozen	0.18 <sup>3</sup> <sub>4</sub>	0.17	0.15 <sup>1</sup> <sub>2</sub>		0.48 <sup>3</sup> <sub>4</sub>	0.43 <sup>3</sup> <sub>4</sub>	0.38 <sup>3</sup> <sub>4</sub>	
Quarts, per dozen	0.09 <sup>3</sup> <sub>4</sub>	0.08 <sup>3</sup> <sub>4</sub>	0.07 <sup>3</sup> <sub>4</sub>		0.24 <sup>3</sup> <sub>4</sub>	0.21 <sup>3</sup> <sub>4</sub>	0.19 <sup>3</sup> <sub>4</sub>	
Pints, per dozen	0.04 <sup>3</sup> <sub>4</sub>	0.04 <sup>3</sup> <sub>4</sub>	0.04		0.12 <sup>3</sup> <sub>4</sub>	0.11	0.09 <sup>3</sup> <sub>4</sub>	

NOTE: For any container size not listed in the table, the applicable amount per gallon is that for barrels of the particular grade of cider vinegar being priced.

(b) *Processors and secondary packers who also perform the wholesale or retail service.* Each maximum price of a processor or secondary packer described in paragraph (a) (2), (a) (3), (b) (2) or (b) (3) of section 2 is his maximum price refigured, according to whichever of those paragraphs applies, after adding to the factor referred to in subdivision (i) of that paragraph the applicable amounts in the tables in section 2a (a) and in paragraph (a) of this section.

(c) *Sellers with factories in both areas.* A processor or secondary packer with one or more factories in each area referred to in the table in paragraph (a) may, if he wishes, establish a uniform maximum price for any item for any group of factories by figuring a weighted average of their separate maximum prices. For any two or more factories he selects, he shall figure this "weighted average maximum price" as follows: He shall (a) determine the total estimated receipts that would have been obtained if his production of the item at those factories during the one-year period immediately preceding the date of the calculation had been sold at the separate maximum prices in effect on the date of the calculation and (b) divide that figure by the total number of

units of the item (like dozen gallons, dozen quarts, etc.) included in that production. The seller shall refigure his weighted average maximum price at the end of each subsequent one-year period on the basis of sales during the one-year period immediately preceding the date of recalculations.

This amendment shall become effective December 4, 1945.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

Approved: November 19, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-21524; Filed, Nov. 29, 1945; 11:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 50,<sup>1</sup> Amdt. 13]

GREEN COFFEE

A statement of the considerations involved in the issuance of this amendment

<sup>1</sup> 8 F.R. 10358, 12136, 14154; 9 F.R. 1819.  
7 F.R. 1305, 2132, 2945, 5462, 6387, 6685, 8948, 10471; 8 F.R. 5477, 13024; 9 F.R. 991, 1598, 7261; 10 F.R. 620, 12992.

has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1351.1 (a) is amended to read as follows:

(a) On and after December 11, 1941, or the effective date thereof as to any amendment to this schedule, regardless of any contract or obligation:

(1) No person shall sell, offer to sell, attempt to sell, deliver, or transfer green coffee at prices higher than the maximum prices hereinafter established by this schedule.

(2) No person shall by direct or indirect methods, buy, offer to buy, attempt to buy, import or receive, green coffee in the course of trade or business, individually or through any agent, or through a foreign or a domestic corporation or any foreign or domestic subsidiary thereof partly or solely owned or controlled by such person, at prices higher than the maximum prices established in this schedule, except that green coffee to be imported into the Continental United States in conformance with the provisions of an agreement entered into by the importer with the Reconstruction Finance Corporation, may be imported at the maximum prices as otherwise established under this regulation plus an amount not to exceed 3¢ per pound.

This amendment shall become effective as of November 19, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21491; Filed, Nov. 28, 1945;  
4:43 p. m.]

**PART 1426—LUMBER AND LUMBER PRODUCTS**  
[MPR 533-2, Amdt. 4]

**LAKE STATES LOGS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 533-2 is amended in the following respects:

1. Section 14 (b) of MPR 533-2, tables 1, 2, 3, 4 and 5 are amended to read as follows:

(b) *Maximum prices.*

TABLE 1—HARDWOOD LOGS  
(Per 1,000 feet, log scale)  
Grades

Species	Veneer or No. 1	No. 2	No. 3	Woodsrun	
				Veneers in	Veneers out
Hard maple	\$84	\$33	\$26	\$36	\$28
Soft maple	59	31	24	34	26
Yellow birch	114	42	31	52	36
White birch	84	33	26	36	28
Basswood	79	35	25	44	30
Ash	54	29	26	32	27
Soft elm	54	29	26	32	27
Rock elm	39	28	26	32	27
Beech	49	30	26	31	27
Cherry	59	31	24	34	26
Cottonwood	44	30	27	32	28
Red oak	64	33	25	40	26

TABLE 2—WHITE PINE LOGS  
(Per 1,000 feet, log scale)

Species	Veneer	Prime	No. 1	No. 2	Woodsrun
White pine	\$79	\$41	\$37	\$32	\$34

TABLE 3—OTHER SOFTWOODS AND ASPEN

(Per 1,000 feet, log scale)

Species:	Woodsrun grade only
Hemlock	\$28.00
Norway Pine	34.00
Jack Pine	30.00
Spruce	32.00
Balsam Fir	32.00
Tamarack	29.00
Cedar	24.00
Aspen	28.00

<sup>1</sup> For peeling hemlock add \$2.00 per M'BM.

TABLE 4—8-FOOT TIE CUTS<sup>1</sup>

The following maximum prices for tie cuts apply to the Upper Peninsula of Michigan and to the counties north of, but not including, the counties of Oceana, Newaygo, Montcalm, Gratiot and Saginaw in the Lower Peninsula of Michigan; and to the entire state of Wisconsin, with the exception of the counties of Vernon, Monroe, Sauk, Richland, Juneau, La Crosse, Clark, Jackson, and Trempealeau:

Top diameter inside bark	[Maximum price per piece]				
	Species groups				
	White oak	Hard maple, red oak, ash, birch, beech, cherry	Hemlock, tamarack, elm, pine, spruce	Aspen, Balm of Gilead, white cedar	
9"	\$0.79	\$0.67	\$0.62	\$0.56	
10"	1.01	.90	.75	.64	
11" and up	1.18	1.07	.95	.88	

<sup>1</sup> For 8'6" tie cuts a maximum addition of \$0.10 may be made to the above prices.

TABLE 5—8 FOOT 6 INCH TIE CUTS<sup>1</sup>

The following maximum prices for tie cuts apply to the counties of Vernon, Monroe, Sauk, Richland, Juneau, La Crosse, Clark, Jackson, Trempealeau in the State of Wisconsin.

[Maximum prices per piece]

Top diameter inside bark	Oak and birch	Other species
8.5"-15.9"	\$1.00	\$0.85
16.0"-18.9"	2.00	1.71
19.0"-20.9"	3.00	2.57
21.0"-22.9"	4.00	3.42
23.0"-24.9"	5.00	4.28
25" and up	6.00	5.13

<sup>1</sup> The maximum prices for 8' tie cuts shall not exceed 90 per cent of the above prices. For example, the maximum price of an 8' oak tie cut 17" in diameter shall not exceed  $2.00 \times 90\% = 1.80$ .

2. Section 14 (c) is amended to read as follows:

(c) *Delivery provisions.* The maximum prices apply f. o. b. cars, rail common carrier, or delivered to mill by truck.

If delivery of logs under Table 1, 2 or 3 necessitates truck hauls in excess of 25 miles, a trucking addition not to exceed 10 cents per thousand feet log scale for each load mile in excess of the original 25 miles may be charged.

3. In section 15 (b) maximum prices, tables 6 and 7 are amended to read as follows:

(b) *Maximum prices.*

TABLE 6—SAWLOGS (WOODSRUN)  
(Per 1,000 feet, log scale)

Species	6" and 7" in diameter	8" and up (including nothing under 8" in diameter)
Aspen (popple)	\$26	\$28
Basswood	27	29
Jack pine	30	32
Norway (red) pine	31	33
White pine	31	33
Balsam fir	31	33
Spruce	32	34
Cottonwood	24	26
Elm	24	26
Soft maple	24	26
Balm of Gilead	22	24
Oak	28	30

TABLE 7—TIE CUTS

ASPIN, BALM OF GILEAD, ELM, JACK PINE AND SOFT MAPLE

Diameter in inches:	Prices per 8' tie cut
7 1/2-8 1/2	\$0.22
8 1/2-9 1/2	.45
9 1/2-10 1/2	.56
10 1/2-11 1/2	.67
11 1/2-14 1/2	.84
14 1/2-16 1/2	1.24
16 1/2 and over	1.57

BIRCH, HARD MAPLE, ASH, RED OAK

Diameter in inches:	Prices per 8' tie cut
7 1/2-8 1/2	\$0.28
8 1/2-9 1/2	.67
9 1/2-10 1/2	.79
10 1/2-11 1/2	.90
11 1/2-14 1/2	1.07
14 1/2-16 1/2	1.46
16 1/2-18 1/2	1.80
18 1/2-22 1/2	2.81
22 1/2 and over	3.60

WHITE OAK

Diameter in inches:	Prices per 8' tie cut
7-8	\$0.45
8-11 1/2	1.18
11 1/2-14 1/2	1.35
14 1/2-18	2.08
18-22	3.09
22 and up	3.94

TAMARACK

Diameter in inches:	Prices per 8' tie cut
7-8	\$0.34
8-14	.79
14 and up	1.57

CEDAR

Diameter in inches:	Prices per 8' tie cut
7-8	\$0.34
8 and up	.67

NOTE: For 8 1/2' tie cuts of all species, add \$0.10 per tie cut.

4. Section 16 (c) Maximum Prices is amended to read as follows:

## (c) Maximum prices.

TABLE 8—ZONE 3 LOGS

Species	Veneer grade per M' log scale	Woods-run grade, veneers in per M' log scale	Woods-run grade, veneers out per M' log scale
Basswood.....	\$39	\$28	\$23
Elm.....	39	28	23
Cottonwood.....	39	28	23
Ash.....	39	28	23
Soft maple.....	39	28	23
Hard maple.....	39	28	23
Red oak.....	39	30	24
White oak.....	39	30	24
Other species.....	39	28	23

This amendment shall become effective November 29, 1945.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21525; Filed, Nov. 29, 1945;  
11:42 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT  
[MPR 594<sup>1</sup>, Amdt. 1]

MAXIMUM PRICES FOR NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation 594 is amended in the following respects:

1. Section 6 (a) (3) is amended to read as follows:

(3) A charge to cover the cost, if any, of transporting the new automobile and extra, special or optional equipment from the factory to the point at which delivery is made to the purchaser, computed in accordance with the method you had in effect on October 15, 1941.

2. Section 7 (a) (5) is amended to read as follows:

(5) A charge to cover the cost, if any, of transporting the new automobile and extra, special or optional equipment from the factory to the point at which delivery is made to the purchaser, computed in accordance with the method you had in effect on October 15, 1941.

3. Step I in section 8 (d) is amended by changing the reference to "highest base period prices" to read "highest January 1, 1941 prices."

4. Section 11 (c) is amended to read as follows:

(c) A charge to cover transportation expense which shall not exceed the rail freight charge at carload rate, by the most direct route, for the transportation of the new automobile and extra, special or optional equipment from the factory to the receiving station nearest to the place at which delivery is made to the purchaser, except that where the new automobile and extra, special or optional equipment is transported by truck-away, the charge may be the truck-away charge, at truckload rate, for the most direct route from the factory to the place

at which delivery is made to the purchaser.

5. Section 12 (c) is amended to read as follows:

(c) A charge to cover transportation expense which shall not exceed the rail freight charge at carload rate, by the most direct route, for the transportation of the new automobile and extra, special or optional equipment from the factory to the receiving station nearest to the place at which delivery is made to the purchaser, except that where the new automobile and extra, special or optional equipment is transported by truck-away, the charge may be the truck-away charge, at truckload rate, for the most direct route from the factory to the place at which delivery is made to the purchaser.

This amendment shall become effective as of the 19th day of November 1945.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21520; Filed, Nov. 29, 1945;  
11:40 a. m.]

PART 1382—HARDWOOD LUMBER

[RMPR 97,<sup>1</sup> Amdt. 21]

SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 97 is amended in the following respects:

1. In § 1382.102 (a) (2) (i), subdivision (b) is amended to read as follows:

(b) A "typical concentration yard" is an establishment which is located in a hardwood lumber producing area, which concentrates either graded hardwood lumber or ungraded hardwood lumber or both; which keeps in stock principally Southern hardwood lumber; which purchases hardwood lumber principally in rough green condition from mills located in its vicinity; which receives its hardwood lumber principally by truck; which prepares graded hardwood lumber for commercial shipment; and which sells hardwood lumber principally for rail shipment.

2. In § 1382.102 (a) (2) (i), subdivision (c) is amended to read as follows:

(c) A "typical distribution yard" is a wholesale or retail yard which is located in a lumber consuming area; which regularly maintains a varied stock of lumber from different regions; which obtains graded lumber principally from mills or from other yards; which receives its lumber principally by rail; which unloads, sorts, stores and redistributes graded hardwood lumber, which from the nature of its lumber inventory is in position to make prompt deliveries of many different items of lumber; and which sells chiefly for truck shipment.

3. In Section 1382.106, the heading of the section and paragraphs (a) and (b) are amended to read as follows:

<sup>1</sup> 9 F.R. 5223; 10 F.R. 595, 1788, 1739, 2929, 4658.

§ 1382.106 Maximum prices for Southern Hardwood Lumber not specifically priced in this regulation. (a) Southern Hardwood Lumber sold on special grades or specifications or with special services or other extras not specifically priced in this regulation is, nevertheless, subject to this regulation as a "specially priced item" or a "special item". A seller making a sale of hardwood lumber covered by this section, for which that seller does not have a maximum price duly approved by the Office of Price Administration, shall apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., for approval of a requested price for that hardwood lumber. The application shall cover only one order or inquiry of hardwood lumber and a copy of that order or inquiry shall accompany the application. The seller must make his application for approval of a maximum price on a copy of Form 197:3, a facsimile of which is in paragraph (c) below.

If the seller had sales in October 1941 of the special item and of the most comparable item specifically priced in this regulation, he shall show on his application the price differential which he maintained between these two items in that month. If the seller did not have sales of both of such items in October 1941 he shall show on the application the price differential between these two items which existed in the first month preceding October 1941 in which he had sales of both of these items. If the seller did not have any sales of these two items in October 1941 or in any month preceding October 1941, the seller shall show on the application the price differential which he would have maintained between these two items in October 1941 if he had made sales of these items in that month.

The seller shall report his requested price in his application, together with an explanation of how he has determined such price. The maximum price shall be a price which is in appropriate relationship to the most comparable standard item, determined from an examination of the data submitted by the seller and from such other data as may be available to the Office of Price Administration. A maximum price duly approved by the Office of Price Administration for a seller for a special item shall apply to subsequent sales by that seller of the identical item of hardwood lumber unless the Office limits the applicability of the approved price in some manner.

If, within thirty (30) days of the receipt of the application by the Lumber Branch of the Office of Price Administration, that Office does not transmit by letter, telegram or in some other manner, a disapproval of the price requested by the seller on the application, that requested price may be deemed approved, but such approval shall be applicable only to the one specific order covered by the application and only to the quantity of the special item contained in that order on the date of the application.

(b) Prior to approval by the Office of Price Administration of the maximum price for a special item of hardwood lumber covered by this section the seller shall not make any collections on ac-

count of the sale price of the special item. However, the seller may proceed with delivery of the special item using the requested price as a tentative maximum price but all quotations, contracts, and invoices must notify the buyer that the price is subject to approval by the Office of Price Administration within the thirty (30) day period described above.

4. In § 1382.112 (b) the price tables in subparagraphs (39) and (40) and the notes following subparagraph (40) which apply to those price tables are deleted.

This amendment shall become effective December 4, 1945.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21521; Filed, Nov. 29, 1945;  
11:41 a. m.]

**PART 1364—FRESH, CURED AND CANNED MEAT AND FISH**

[RMPR 148,<sup>1</sup> Incl. Amdt. 1-30]

**DRESSED HOGS AND WHOLESALE PORK CUTS**

This compilation of Revised Maximum Price Regulation 148 includes Amendment 30, effective December 3, 1945. The text added or amended by Amendment 30 is underscored. Deletions, redesignations and changes in tables are indicated by notes.

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 issued by the President on October 3, 1942, to maintain as the maximum prices for dressed hogs and wholesale pork cuts the prices prevailing with respect thereto during the period March 3, 1942 to March 7, 1942, inclusive. Prices determined as provided in § 1364.22 reflect the prices prevailing during such period. The Price Administrator has ascertained and given due consideration to the prices of dressed hogs and wholesale pork cuts prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act and Executive order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.<sup>2</sup>

<sup>1</sup>9 F.R. 1996.

<sup>2</sup>Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which dressed hogs and wholesale pork cuts are produced a price for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by the Executive Order of October 3, 1942.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order No. 63, 8 F.R. 12553, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 1,<sup>3</sup> issued by the Office of Price Administration, Revised Maximum Price Regulation No. 148 is hereby issued.

Sec.

- 1364.21 Prohibition against selling dressed hogs and wholesale pork cuts at prices above the maximum.
- 1364.22 Maximum prices for dressed hogs and wholesale pork cuts.
- 1364.22a Limitation on carload shipment into Pacific Coast States.
- 1364.23 Adjustable pricing and transportation adjustments.
- 1364.24 Exempt sales and deliveries.
- 1364.25 Less than maximum prices.
- 1364.26 Evasion.
- 1364.27 Records and reports.
- 1364.28 Enforcement.
- 1364.29 Petitions for amendment.
- 1364.30 Licensing.
- 1364.31 Relation to other regulations.
- 1364.32 Definitions.
- 1364.33 Revocation of orders issued under Maximum Price Regulation No. 148.
- 1364.34 Effective date.
- 1364.35 Appendix A: Schedules I, II, and III.
- 1364.36 Appendix B: Schedules IV, V, and VI.

AUTHORITY: §§ 1364.21 to 1364.36, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

**§ 1364.21 Prohibition against selling dressed hogs and wholesale pork cuts at prices above the maximum.** On and after November 2, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver dressed hogs or any wholesale pork cut, and no person in the course of trade or business shall buy or receive dressed hogs or any wholesale pork cut at a price higher than the maximum price permitted by § 1364.22; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That on and after June 14, 1943, a war procurement agency in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provisions of this regulation, may pay to Defense Supplies Corporation an amount equivalent

to the meat production payments made by Defense Supplies Corporation on account of the production of such meat.

[§ 1364.21 amended by Am. 5, 8 F.R. 7671]

**§ 1364.22 Maximum prices for dressed hogs and wholesale pork cuts.** Maximum prices for dressed hogs and wholesale pork cuts shall be computed as provided in this section.

(a) **Base price.** The base price for each wholesale pork cut shall be the price specified in Schedule I of Appendix A (incorporated herein as § 1364.35), minus the required deductions, if any, specified in Schedule II of Appendix A (§ 1364.35), plus the permitted additions, if any, specified in Schedule III of Appendix A (§ 1364.35).

(b) **Maximum prices in central price zone.** Except as provided in paragraph (h) of this section, the maximum price for each wholesale pork cut delivered to the buyer within the Central Price Zone, or delivered outside the Central Price Zone by a local delivery beginning in the Central Price Zone, shall be the base price.

(c) **Maximum prices in Chicago price zone.** Except as provided in paragraphs (b) and (h) of this section, the maximum price for each wholesale pork cut delivered to the buyer in the Chicago Price Zone, or delivered to the buyer outside the Chicago Price Zone and the Central Price Zone by a local delivery beginning in the Chicago Price Zone, shall be the base price plus \$0.25 per cwt.

(d) **Maximum prices outside central price zone and Chicago price zone.** Except as provided in paragraphs (b), (c) and (h) of this section, the maximum price for each wholesale pork cut delivered to the buyer outside the Central Price Zone and the Chicago Price Zone shall be the base price plus a transportation differential determined as follows:

(1) The seller shall ascertain the point at which local delivery begins, if local delivery is made, or the point of delivery if no local delivery is made. If no carload meat freight rates are established to such point, he shall ascertain the nearest point at which such freight rates are established.

(2) If the point ascertained under paragraph (d) (1) of this section is east of the Mississippi River, but is not in Minnesota, Wisconsin, or in that part of Michigan lying between Lake Superior and Lake Michigan or Lake Huron, the transportation differential for any fresh wholesale pork cut shall be 115 percent of the lowest fresh meat carload freight rate from Chicago, Illinois, to such point adjusted to the nearest \$0.25 per cwt. and plus \$0.25 per cwt., and the transportation differential for any cured or processed wholesale pork cut shall be 115 percent of the lowest packing house product carload freight rate (applicable to cooked, cured or preserved meats and sausage) from Chicago, Illinois, to such point, adjusted to the nearest \$0.25 per cwt. and plus \$0.25 per cwt. (Caution: This transportation differential is to be added to the base price, not to the maximum price in the Chicago Price Zone.)

(3) If the point ascertained under paragraph (d) (1) of this section is in Missouri, Arkansas, or in those portions

of Louisiana west of the Mississippi River, or in those portions of Texas, Oklahoma or Kansas which lie east of the 99th meridian, the transportation differential for any fresh wholesale pork cut shall be 115 percent of the lowest fresh meat carload freight rate from Kansas City, Missouri, to such point, adjusted to the nearest \$0.25 per cwt., and the transportation differential for any cured or processed wholesale pork cut shall be 115 percent of the lowest packing house product carload freight rate (applicable to cooked, cured or preserved meats and sausage) from Kansas City, Missouri, to such point, adjusted to the nearest \$0.25 per cwt.

[Subparagraphs (2) and (3) as amended by Am. 15, 9 F.R. 1996]

(4) If the point ascertained under paragraph (d) (1) of this section lies in any other part of the United States than those areas referred to in paragraphs (d) (2) and (d) (3) of this section, and notwithstanding the provisions of subdivision (ii) of § 1364.32 (a) (14), the seller shall ascertain the lowest of the packing house product carload freight rates in effect on November 1, 1945 (applicable to cooked, cured or preserved meats and sausage) to such point from Kansas City, Missouri, and South St. Paul, Minnesota. The transportation differential for fresh, cured or processed wholesale pork cuts shall be 115 percent of such lowest rate, adjusted to the nearest \$0.25 per hundredweight.

[Subparagraph (4) amended by Am. 29, 10 F.R. 14023]

(e) *When products are delivered to the buyer.* Dressed hogs and wholesale pork cuts shall be deemed to be delivered to the buyer at the point where physical possession is taken by the buyer or his agent, or where the dressed hogs or wholesale pork cuts, consigned to the buyer,

(1) Are received by a common carrier or contract carrier, other than a railroad, and the charges of such carrier are paid directly to such carrier by the buyer;

(2) Are received by a railroad: (i) for shipment at the railroad carload rate; or (ii) for shipment to an agency of the United States government; and, in each instance, the charges of such railroad are paid directly to such railroad by the buyer.

(3) Are received by a railroad for shipment to a licensed ship supplier under the following conditions:

(i) The wholesale pork cuts so shipped must be obtained from a War Shipping Administration stockpile.

(ii) The Director of the Food Control Division of the War Shipping Administration first must have certified both to the seller and to the buying licensed ship supplier that such purchase and shipment are necessary to provide adequate supplies for ship operators who are dependent upon the named ship supplier for such supplies.

(iii) The shipping charges of such railroad are paid directly to the railroad by the buying licensed ship supplier.

(iv) If less than carload shipments are made the purchasing ship supplier's place of business must be located either in Zone 9 or in Zone 10 (as defined in paragraphs (i) and (j) respectively of § 1364.452 of Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts).

[Subparagraph (2) amended and (3) added by Am. 30]

[Paragraph (e) amended by Am. 1, 8 F.R. 544 and as otherwise noted]

(f) *Maximum prices of wholesale pork cuts listed in Appendix A.* (1) Except as provided in paragraph (h) of this section, if the maximum price for any wholesale pork cut delivered to the buyer cannot be determined under the provisions of the foregoing paragraphs of this section, such maximum price shall be that of the nearest similar wholesale pork cut derived from the same primal cut or combination of primal cuts, making adjustment for the differences in the costs of producing such cuts. Each seller shall file with the Office of Price Administration at Washington, D. C., within 10 days of computation, each maximum price computed under the provisions of this paragraph (f) together with a statement of the method of such computation and the comparative costs included therein, including costs of labor, materials, and overhead, and shrinkage or gain in weight. Any maximum price so computed shall be subject to revision by the Price Administrator. No person shall sell any wholesale pork cut not listed in Schedule I of Appendix A (§ 1364.35), except canned meats subject to the provisions of paragraph (h) of this section, without first filing with the Office of Price Administration at Washington, D. C., a maximum price for such cut as required by the provisions of this paragraph (f).

[Subparagraph (1) amended by Am. 19, 10 F.R. 703]

(2) The last date for computing and filing maximum prices under this paragraph (f) for all wholesale pork cuts, other than those sold exclusively to war procurement agencies, shall be May 31, 1943. On or before June 30, 1943, the Office of Price Administration shall review all maximum prices filed on or before May 31, 1943, and the Price Administrator shall in writing confirm or modify the maximum prices filed by such seller under this paragraph (f). On and after June 1, 1943, no person shall sell in civilian trade any wholesale pork cut not listed in § 1364.35, other than a cut for which such person has, prior to that date, duly filed a maximum price as required by this paragraph (f); nor shall any person who has so filed a maximum price for any wholesale pork cut sell such cut at a price higher than the price authorized by the written confirmation or modification of the Price Administrator.

[Paragraph (f) amended by Am. 1, 8 F.R. 544, and Am. 4, 8 F.R. 7322]

(g) *Maximum prices for dressed hogs and slaughtering services.* The maximum price for each dressed hog sold and

for slaughtering services shall be ascertained in accordance with the provisions of § 1364.36 (Appendix B).

[Paragraph (g) amended by Am. 1, 8 F.R. 544; Am. 2, 8 F.R. 2922; Am. 5, 8 F.R. 7671; Am. 11, 8 F.R. 13296; Am. 20, 10 F.R. 2095; Am. 22, 10 F.R. 3362; and Am. 24, 10 F.R. 5371]

(h) *Maximum prices of products sold for export and canned products.* (1) The maximum price at which a person may export any dressed hog or wholesale pork cut shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation<sup>4</sup> issued by the Office of Price Administration.

(2) Except for imported canned hams and the canned pork products listed in Schedule I (h) of § 1364.35 (Appendix A), the maximum price for each brand, type and container size of canned meat containing pork shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 156 and Maximum Price Regulation Nos. 421, 422 and 423. [Note: The canned pork products listed in Schedule I (h) of § 1364.35 (Appendix A) are made in accordance with government specifications, and are priced for sale only (1) to war procurement agencies, (2) to licensed ship suppliers for resale only to ship operators, and (3) to ship operators. With one exception, they may not be sold to other classes of buyers. The exception made is effective until December 8, 1945, and enables manufacturers of such canned pork products following cancellation of war procurement contracts as specified in section 16 of Revised Maximum Price Regulation No. 156 to sell them to civilian buyers during the said limited period at the base prices provided in Schedule I (h) of § 1364.35 (Appendix A) of this regulation, subject to the conditions imposed in the said section 16 of Revised Maximum Price Regulation No. 156.]

[Subparagraph (2) amended by Am. 1, 8 F.R. 544; Am. 24, 10 F.R. 5371 and Am. 30, Paragraph heading amended by Ams. 1 and 2]

(3) [Revoked]

[Subparagraph (3) added by Am. 1, revoked by Am. 2, 8 F.R. 2922]

§ 1364.22a *Limitation on carload shipments into Pacific Coast States—(a) Scope of limitation.* (1) The limitations contained in this section are applicable on all straight and/or mixed carload lots of dressed hogs and/or wholesale pork cuts (derived from live hogs slaughtered elsewhere than in the area consisting of the States of California, Oregon and Washington) that are moved into the area consisting of the States of California, Oregon and Washington.

<sup>4</sup> 2nd Revised: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432, 6590, 8746, 8611, 9586, 10029.

(2) Nothing herein contained shall be interpreted to preclude or to restrict the right of any person having dressed hogs and/or wholesale pork cuts derived from live hogs slaughtered elsewhere than in the area consisting of the States of California, Oregon and Washington to move such pork products into the area consisting of the States of California, Oregon or Washington, under either of the following conditions:

(i) The total volume by weight so moved is less than a "carload" as defined in § 1364.32 (a) (9); or

(ii) The pork products moved, regardless of total weight, are consigned to:

(a) A war procurement agency;  
(b) A licensed ship supplier for sale only to a ship operator; or  
(c) A ship operator.

(3) Nothing herein contained shall be interpreted to preclude or to restrict the right of any person to move dressed hogs and/or wholesale pork cuts derived from hogs slaughtered in the area consisting of the States of California, Oregon or Washington into any state.

(b) *Limitation.* Except as permitted by paragraphs (a) (2) and (b) (1) of this § 1364.22a, and notwithstanding the terms of any contract, agreement or other obligation, no person shall ship, transport, transfer or deliver straight and/or mixed carload lots of dressed hogs and/or wholesale pork cuts (derived from live hogs slaughtered elsewhere than in the area consisting of the States of California, Oregon and Washington) in the said area after November 9, 1945; and except as permitted by the above-cited paragraphs no person in the course of trade or business shall cause such straight and/or mixed carload lots of such pork products to be shipped, transported, transferred or delivered into the said area after November 9, 1945. Other than as permitted by paragraph (a) (2) of this § 1364.22a dressed hogs and/or wholesale pork cuts (derived from live hogs slaughtered elsewhere than in the area consisting of the States of California, Oregon and Washington) may be moved into the area consisting of the States of California, Oregon and Washington on and after November 10, 1945, only in accordance with the following conditions:

(1) No person shall ship, transport, transfer or deliver such carload lots into the said area and no person in the course of trade or business shall cause to be shipped, transported, transferred or delivered such carload lots into the said area unless he has a quota therefor determined on the basis of the total volume by weight of straight and/or mixed carload lot shipments of dressed hogs and/or wholesale pork cuts (derived from live hogs slaughtered elsewhere than in the area consisting of the States of California, Oregon and Washington) moved into the said area other than to war procurement agencies, licensed ship suppliers and ship operators during the appropriate base period specified hereinafter. No person shall have more than one quota, and every person claiming a quota must qualify therefor, and compute the volume thereof by one of the methods provided in following subdivisions (i), (ii), (iii) or

(iv), or must apply for a special quota as provided in subdivision (v) hereof.

(i) Each person who moved such carload lots into the area within the base period of from January 1, 1944, through March 31, 1944, is entitled to a quota for each current three month period beginning January 1, April 1, July 1 and October 1; and the quota for each such current quarterly period shall be 75 percent of the total volume by weight so moved into such area within the said base period.

(ii) Each person who moved such carload lots into the area during any period after January 31, 1944, but did not move such carload lots into the area during the month of January 1944, is entitled to a quota for each current three month period beginning January 1, April 1, July 1 and October 1; and the quota for each such current quarterly period shall be 75 percent of the total volume by weight so moved into such area within the first consecutive three calendar month period in which such movements were made following January 31, 1944.

(iii) Each person who is a buyer in the course of trade or business having a selling establishment or establishments located in the said area, and who purchased and caused such carload lots to be moved into such area within the base period of from January 1, 1944, through March 31, 1944, is entitled to a purchasing quota for each current three month period beginning January 1, April 1, July 1 and October 1; and the purchasing quota for each such current quarterly period shall be 75 percent of the total volume by weight so purchased and caused to be moved into such area within the said base period. No person who has established a quota under foregoing subdivisions (i) and (ii) shall be eligible to establish a quota under this subdivision.

(iv) Each person who is a buyer in the course of trade or business having a selling establishment or establishments located in the said area, and who purchased and caused such carload lots to be moved into such area during any period after January 31, 1944, but did not purchase and cause such carload lots to be moved into such area during the month of January 1944, is entitled to a purchasing quota for each current three-month period beginning January 1, April 1, July 1 and October 1; and the purchasing quota for each such current quarterly period shall be 75 percent of the total volume by weight so purchased and caused to be moved into such area within the first consecutive three calendar month period in which such movements were made following January 31, 1944. No person who has established a quota under foregoing subdivisions (i) or (ii) shall be eligible to establish a quota under this subdivision.

(v) Special quotas authorizing persons not having quotas under subdivisions (i) or (ii) to move such carload lots into such area in order to enable persons having quotas under foregoing subdivisions (iii) or (iv) to operate within the limits of such latter quotas may be authorized by the Administrator of the Office of Price Administration, Washington, D. C., only upon a showing that the

persons having such latter quotas are unable to obtain such carload lots from persons having quotas under subdivisions (i) or (ii).

(vi) No person having a quota under subdivisions (i) or (ii) shall move carload lots from outside such area to its branch houses, subsidiaries, or financial affiliates located within such area, in excess of 75 percent of the total volume by weight so moved to its branch houses, subsidiaries, or financial affiliates during its quota base period. All such movements shall be charged against the quota.

(vii) Any person having a quota under foregoing subdivisions (i) or (ii) shall not move carload lots from outside the area to a consignee within the area other than a branch house, subsidiary or financial affiliate unless he first shall ascertain that such consignee has an unfilled quota under foregoing subdivisions (iii) or (iv) permitting such movement. All such transactions shall be charged against both quotas.

(viii) The first current quarterly period during which the quota provisions hereinbefore specified shall be operative begins as of October 1, 1945; *Provided*, That regardless of the total volume by weight moved into the said area during the period of from October 1, 1945, through November 9, 1945, nevertheless two-thirds of any quota hereinbefore authorized may be moved into such area during the period of from November 10, 1945, through December 31, 1945.

(ix) No person having a quota under the provisions of this § 1364.22a (b) (1) shall ship, transport, transfer or deliver, or cause to be shipped, transported, transferred or delivered, such carload lots into such area during any calendar month in excess of 40 percent of his quota for the quarterly period in which the said calendar month occurs.

(2) On or before November 30, 1945, each person claiming a quota under subdivisions (i) or (ii) of foregoing § 1364.22a (b) (1) shall file in duplicate with the Office of Price Administration, Washington, D. C., a signed statement setting forth the data required in § 1364.27 (e) (1); and on or before November 30, 1945, each person claiming a quota under subdivision (iii) or (iv) of foregoing § 1364.22a (b) (1) shall file in duplicate with the Office of Price Administration, Washington, D. C., a signed statement setting forth the data required in § 1364.27 (e) (2). On and after December 1, 1945, any person claiming a quota under any of such subdivisions who has failed to file such statements under § 1364.27 (e) shall be prohibited from using such quota until the required filing is made.

(3) Each person claiming a quota under subdivision (i) or (ii) of foregoing § 1364.22a (b) (1) shall conform to the quarterly reporting requirements of § 1364.27 (f) (1); each person claiming a purchasing quota under subdivision (iii) or (iv) of foregoing § 1364.22a (b) (1) shall conform to the quarterly reporting requirements of § 1364.27 (f) (2); and each person for whom a quota is established under subdivision (v) of § 1364.22a (b) (1) shall conform to the quarterly reporting requirements of § 1364.27 (f).

(3). In the event any person claiming a quota under the above-cited subdivisions fails to file any quarterly report as therein required, his right to operate under such quota shall be prohibited until the required quarterly report is made.

(4) Each person claiming a quota under subdivisions (i), (ii), (iii) or (iv) of foregoing § 1364.22a (b) (1), and each person for whom a special quota is established under the provisions of subdivision (v) of said section shall conform to the record-keeping provisions of § 1364.27 (g). In the event any person claiming or having a quota under the above-cited subdivisions fails to keep the records required by § 1364.27 (g), his right to operate under such quota shall be prohibited for the entire time that such records are not kept, and any carload lots moved into the area by or for such person during such period shall be deemed to be unauthorized insofar as such carload lots relate to the quota of the person failing to keep such records.

(c) Any person subject to the provisions of paragraph (b) of this § 1364.22a who violates any applicable provision of said paragraph (b) shall be subject to the penalties for violation provided by law, and in addition, may be prohibited by administrative suspension order from receiving, selling, using or otherwise disposing of dressed hogs and/or wholesale pork cuts. Such suspension order shall be issued for such period as in the judgment of the Administrator or such person as he may designate for that purpose, is necessary and appropriate in the public interest or to promote the national security.

(d) This § 1364.22a is issued under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, in addition to the authorities cited in § 1364.415 (e) of Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

[§ 1364.22a added by Am. 29, 10 F.R. 14023. Original § 1364.22a added by Am. 6, 8 F.R. 7826; revoked by Am. 15, 9 F.R. 1996.]

**§ 1364.23 Adjustable pricing and transportation adjustments—(a) Adjustable pricing.** Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

(b) *Adjustment for transportation to critical areas.* Upon a finding that a critical shortage of meat has occurred in a specific area because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Administrator may by order designate such area as a critical area for such period as he may prescribe.

Subject to such conditions as may be prescribed in the order of the Administrator, the Regional Administrator for the area or any District Manager designated by him, may in writing authorize named sellers to charge and receive, for dressed hogs and wholesale pork cuts sold to buyers in that area, the added cost of transportation in addition to the applicable maximum price.

(c) *"Group I ship chandler" adjustments affecting pork.* (1) Notwithstanding the pricing provisions of Schedule III (e) of § 1364.35 pertaining to maximum prices for wholesale pork cuts sold to ship operators by licensed ship suppliers, the Price Administrator at Washington, D. C., may, by order, adjust the licensed ship supplier's selling addition established in Schedule III (e) (5) of § 1364.35 for any "Group I ship chandler" (defined in § 1364.32 (a) (26) (i)) who shows:

(i) That in the period covering the entire calendar or fiscal year of 1944, whichever period is used by the applicant for filing Federal Income Tax returns, at least 85% of his total dollar volume of sales consisted of sales of food items;

(ii) That during his most recent 3 month fiscal or calendar accounting period, his total dollar volume derived from the sale of all his products, including but not limited to food items, exceeded his total cost of products sold during such period, adjusted for inventory changes, by an amount which was less than 12½%; and

(iii) That no adequate alternative exists to the price adjustment, such as a reduction of other operating costs.

(2) Any applicant requesting a price adjustment under this paragraph (c) shall file a written application with the Price Administrator, at Washington, D. C., in which he shall certify that he is a "Group I ship chandler", as defined in § 1364.32 (a) (26) (i) of this regulation, that he meets the requirements of subdivisions (1) (i) through (iii) above, and sets forth:

(i) His annual total dollar volume as computed in accordance with the provisions of § 1364.32 (a) (26) (iii) of this regulation;

(ii) His total dollar volume derived from the sale of food items only during the same period, covered by subdivision (i) above;

(iii) The total cost of all products purchased by him (adjusted for inventory changes) during the three consecutive months specified in subdivision (1) (ii) above, and his total dollar volume derived from sales of such products during the same period, setting forth the total dollar volume of sales of (a) all products, including foods, (b) foods, including all meats, (c) beef and veal, and (d) pork; and the total pounds of beef and veal, and pork, separately stated, sold during the same period.

In addition to the foregoing, each application shall be accompanied by a letter signed by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, certifying that the applicant is a "Group I ship

chandler" as defined in § 1364.32 (a) (26) (i) herein.

(3) Upon receipt of an application satisfying the requirements of subparagraph (c) (2) hereof, the Price Administrator may, subject to such terms and conditions as he may deem necessary, adjust the selling addition established in Schedule III (e) (5) of § 1364.35 for sales by a licensed ship supplier to such an extent as to increase the applicant's gross operating margin percentage-wise to 12½% over cost of products sold, except that in no case shall an adjustment be granted in excess of 50 cents per cwt.

(4) If during any 3 consecutive calendar or fiscal months following the granting of an adjustment pursuant to this paragraph (c), the applicant's dollar volume sales of food items fall below 85% of his total dollar volume of sales of all products sold during such 3 month period the adjustment granted shall be deemed null and void thereafter. If during any three month calendar or fiscal period or a fiscal or calendar year closing after the granting of an adjustment pursuant to this paragraph (c), the applicant's gross operating margin is more than 12½% of cost of products sold, the adjustment granted under this paragraph (c) shall be subject to revocation or modification.

(5) For purposes of convenience an application filed under this section may be combined with a similar application filed under the provision of Revised Maximum Price Regulation No. 169.<sup>5</sup>

[Paragraph (c) added by Am. 27, 10 F.R. 6948]

[§ 1364.23 amended by Am. 2, 8 F.R. 2922 and Am. 3, 8 F.R. 4785]

**§ 1364.24 Exempt sales and deliveries.** The provisions of this Revised Maximum Price Regulation No. 148 shall not apply

(a) To sales at retail;

(b) To deliveries made to any political subdivision or agency of any state or of the United States, other than the Federal Surplus Commodities Corporation, under contracts entered into prior to November 2, 1942: *Provided*, That this exemption shall not be construed to permit the upward revision of any prices fixed in such contracts;

(c) To deliveries to the Federal Surplus Commodities Corporation under contracts entered into prior to October 17, 1942; or

(d) To sales outside of the forty-eight states of the United States and the District of Columbia.

(e) Except for the products herein-after listed, to sales of canned meat made to civilian buyers. (Although exempt from this regulation, sales to civilian buyers are subject to Revised Maximum Price Regulation No. 156<sup>6</sup> and Maximum Price Regulations Nos. 421,<sup>7</sup> 422, and 423.) The products not included in this exemption and which consequently must

<sup>5</sup> 10 F.R. 6182, 6956, 8130, 9878, 11808, 12742, 13113, 13636, 13682.

<sup>6</sup> 9 F.R. 7938, 10048, 10876; 10 F.R. 2724, 5457, 8129, 8658, 11303, 12770, 13075.

<sup>7</sup> 10 F.R. 1496, 5037, 5369, 7251, 11302, 12848, 12992, 13073.

be priced under this Revised Maximum Price Regulation No. 148 are:

(1) Imported canned hams.

(2) Canned pork products listed in Schedule I (h) of § 1364.35 (Appendix A). [Note: These products are made in accordance with government specifications, and priced for sale only (i) to war procurement agencies, (ii) to licensed ship suppliers for resale to ship operators, and (3) to ship operators. With one exception, they may not be sold to other classes of buyers. See subparagraph (2) of § 1364.22 (h) of this regulation, and section 16 of Revised Maximum Price Regulation No. 156.]

[Paragraph (e) added by Am. 11, 8 F.R. 13298; amended by Am. 24, 10 F.R. 5371 and Am. 30]

§ 1364.25 *Less than maximum prices.* Lower prices than those provided for in § 1364.22 may be charged, demanded, paid or offered.

§ 1364.26 *Evasion.* (a) The price limitations set forth in this Revised Maximum Price Regulation No. 148 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, dressed hogs or wholesale pork cuts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding: *Provided*, That the following payments shall not be construed as evasions of such price limitations under the following conditions:

(1) A payment by a buyer to a broker of not to exceed \$0.125 per hundred-weight in excess of the maximum prices fixed by this regulation for services rendered by the broker to the buyer in connection with a sale of wholesale pork cuts, if the broker has no business affiliation with the seller and if the total compensation received by the broker from both buyer and seller in connection with the sale does not exceed \$0.125 per hundredweight.

(2) A payment by a buyer to a seller for icing services performed by the seller after March 1, 1943, and before delivery of dressed hogs or wholesale pork cuts to a railroad whose charges are paid directly to such railroad by the buyer, if the charge for such icing services is no higher than the costs actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad;

(3) A payment by a war procurement agency or a licensed ship supplier who is not a slaughterer, packer or packer's branch house, to a seller (1) for freezing and/or storing dressed hogs or wholesale pork cuts purchased by such agency or licensed ship supplier if such freezing and/or storage charges were actually incurred by the seller and are evidenced by an invoice and warehouse receipt duly is-

sued to the seller from a commercial warehouse; or (ii) for storing dressed hogs or wholesale pork cuts if the storage services were performed by the seller, and not by a commercial warehouse, if such services are evidenced by a warehouse receipt, showing the length of the storage, issued by the seller to the war procurement agency or licensed ship supplier; and if such charges do not exceed the second month's maximum storage rates (under the General Maximum Price Regulation) of commercial warehousemen in the vicinity of the place where the storage occurred.

[Subparagraph (3) amended by Am. 21, 10 F.R. 2514 and Am. 30]

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Falsely or incorrectly grading or invoicing dressed hogs or wholesale pork cuts;

(2) Selling or invoicing wholesale pork cuts to buyers other than bona fide purveyors of meals at the prices established for sales by hotel supply houses;

(3) Offering, selling or delivering dressed hogs or any wholesale pork cuts on condition that the purchaser is required to purchase some other wholesale pork cut or other commodity;

(4) Selling or transferring title to hogs at a lower price than was paid for such hogs and re-purchasing, purchasing or receiving title to dressed hogs or wholesale pork cuts derived from the hogs so purchased after they have been slaughtered;

(5) Charging, billing or receiving any consideration for or in connection with any service for which specific allowance has not been provided in this regulation;

(6) So curing wholesale pork cuts as to increase their cured weight, before draining and smoking beyond 110% of green weight;

(7) Selling wholesale pork cuts not referred to in Appendix A (§ 1364.35) and not customarily sold by the same seller prior to March 23, 1942.

[§ 1364.26 amended by Am. 2, 8 F.R. 2922, and Am. 9, 8 F.R. 10732]

§ 1364.27 *Records and reports.* (a) Every person who sells, transfers or delivers, and every person in the course of trade or business who buys, receives or acquires any dressed hogs or wholesale pork cuts shall make and/or preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, transfer, delivery, purchase, receipt, acquisition or other such transaction, showing:

(1) The date thereof.

(2) The names and addresses of the parties taking part in the transaction, such as the buyer and seller.

(3) The description, quantity and weight of all wholesale pork cuts sold, transferred, delivered, purchased, re-

ceived or acquired, specifically showing:

(i) The descriptive name of the wholesale pork cut, including the grade of sliced bacon.

(ii) The weight range or ranges of dressed hogs and/or wholesale pork cuts as named and defined in this regulation.

(iii) The number of pieces in each weight range of any items for which ranges are specified, except spareribs and Boston butts.

(iv) The total weights of all items in each specified weight range.

(4) The price charged, received or paid therefor.

[Paragraph (a) amended by Am. 1, 8 F.R. 544, Am. 2, 8 F.R. 2922, Am. 24, 10 F.R. 5371 and Am. 30]

(b) Persons subject to or affected by this Revised Maximum Price Regulation No. 148 shall submit to the Office of Price Administration at Washington, D.C.:

(1) The reports of maximum prices required by § 1364.22 (f), together with a statement that the facts recited therein are true and correct;

(2) On or before November 15, 1942, statements of the denominators in sales by them of dressed hogs, determined in accordance with the provisions of § 1364.22 (g), including a statement of the specifications for dressing to which each denominator applies and a statement of the classes of purchasers to which each denominator applies; and

[Subparagraphs (1) and (2) amended by Am. 29, 10 F.R. 14023]

(3) Such other reports as the Office of Price Administration may from time to time require.

(4) [Revoked]

[Subparagraph (4) added by Am. 1, 8 F.R. 544; revoked by Am. 2, 8 F.R. 2922]

(c) Every person making a sale of any dressed hog or any wholesale pork cut shall furnish to the purchaser at the time of delivery of such dressed hog or wholesale pork cut a written statement setting forth the date thereof, the name and address of the buyer and seller; the descriptive name or style of the dressed hog; the descriptive name of the wholesale cut, including the grade of sliced bacon; the weight range or ranges of dressed hogs and wholesale pork cuts as named and defined in this regulation; the quantity (number of pieces in each weight range) of any items including dressed hogs but excluding spareribs and Boston butts for which weight ranges are specified; the total weight of all items, including dressed hogs sold in each specified weight range; the total weights sold of each wholesale cut for which weight ranges are not specified; and the prices charged or received. Every person who sells dressed hogs to a certified dressed hog processor shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in Schedule IV (a) (1) of Appendix B (§ 1364.36). Every person who sells dressed hogs to others than certified dressed hog processors shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in

Schedule IV (b) (1) of Appendix B (§ 1364.36). Dressed hogs falling in each such weight range shall be invoiced separately. No person shall sell hogs dressed otherwise than packer style or shipper style.

[Paragraph (c) added by Am. 1, 8 F.R. 544; amended by Am. 24, 10 F.R. 5371]

(d) On and after May 14, 1945, each person who processes for sale aged, dry cured products (as defined and priced in this regulation) shall prepare and keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete record showing: (1) the exact number of hams, shoulders, bellies, sides and bacon sides included in each lot of such products placed in cure, (2) the total green weight of each class of "aged, dry cured" products named in subparagraph (30) of § 1364.32 (c) included in each lot placed in cure, (3) the date of placing each such lot in cure, (4) the date of shipment of each sale made of any of such products, (5) the name and address of the purchaser, (6) the total shipped weight of each type of product sold to such purchaser, itemizing separately the shipped weights of each type of aged, dry cured product obtained from each curing lot as identified under the provisions of subparagraph (3) of this paragraph (d), and the number of pieces of hams, shoulders, bacon, sides and bacon sides obtained from each such curing lot included in the shipment.

[Paragraph (d) added by Am. 24, 10 F.R. 5371]

(e) On or before November 30, 1945, each person claiming a quota under the provisions of § 1364.22a (b) (1) shall file in duplicate with the Office of Price Administration, Washington, D. C., signed statements showing:

(1) If the quota is claimed under subdivision (i) or (ii) of § 1364.22a (b) (1):

(i) Name and address,

(ii) The base period used in determining a quota, and the volume claimed as a quota,

(iii) The total volume by weight of dressed hogs and/or wholesale pork cuts (derived from live hogs slaughtered elsewhere than in the area consisting of the States of California, Oregon and Washington) that was moved into such area in straight and/or mixed carload lots during the base period used,

(iv) The total volume by weight of the amount reported under foregoing subdivision (iii) which was moved directly to consignees other than the reporting person's branch house, subsidiary or financial affiliate located in the said area in straight and/or mixed carload lots.

(2) If the quota is claimed under subdivision (iii) or (iv) of § 1364.22a (b) (1):

(i) Name and address,

(ii) The base period used in determining a quota and the volume claimed as a quota,

(iii) The total volume by weight of dressed hogs and/or wholesale pork cuts (derived from live hogs slaughtered elsewhere than in the area consisting of the States of California, Oregon and Wash-

ington) which was received in straight and/or mixed carload lots in such area during the base period used.

(f) On or before the 10th day following the expiration of each three month period ending March 31, June 30, September 30, and December 31, each person claiming a quota, and each person for whom a special quota has been established under the provisions of § 1364.22a (b) (1) shall file with the Office of Price Administration, Washington, D. C., a quarterly report in duplicate showing:

(1) If the quota is claimed under subdivisions (i) or (ii) of § 1364.22a (b) (1):

(i) Name, address and date,

(ii) The total volume by weight of dressed hogs and/or wholesale pork cuts subject to the quota handled or moved during the quarterly period for which the report is filed,

(iii) The total volume by weight of the amount reported under foregoing subdivision (ii) hereof which was moved to its own branch houses, subsidiaries or financial affiliates.

(2) If the quota is claimed under subdivision (iii) or (iv) of § 1364.22a (b) (1):

(i) Name, address and date,

(ii) The total volume by weight of dressed hogs and/or wholesale pork cuts subject to the quota received and/or caused to be moved during the quarterly period for which the report is filed.

(3) If the quota is established under subdivision (v) of Section 1364.22a (b) (1):

(i) Name, address and date,

(ii) The total volume by weight of dressed hogs and/or wholesale pork cuts subject to the quota consigned and shipped to holders of quotas under subdivision (iii) or (iv) of Section 1364.22a (b) (1) during the quarterly period for which the report is filed.

(g) On and after November 10, 1945, each person claiming a quota under the provisions of subdivisions (i), (ii), (iii) or (iv) of Section 1364.22a (b) (1), and each person for whom a quota is established under the provisions of subdivision (v) of Section 1364.22a (b) (1), shall prepare and keep, and/or preserve and keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete record showing:

(1) A cumulative daily total for each current quarterly period ending March 31, June 30, September 30 and December 31 showing the total volume by weight of dressed hogs and/or wholesale pork cuts subject to quota that were shipped, transported, transferred or delivered, or caused to be shipped, transported, transferred or delivered during such period into the area consisting of the States of California, Oregon and Washington.

(2) The names and addresses of the parties and establishments involved in each transaction.

(3) The date of each transaction.

(4) The total volume by weight of dressed hogs and/or wholesale pork cuts subject to quota moved in each transaction.

[Paragraphs (e), (f) and (g) added by Am. 29, 10 F.R. 14023]

§ 1364.28 *Enforcement.* (a) Persons violating any provision of this Revised Maximum Price Regulation No. 148 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 148 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.29 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 148 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

[§ 1364.29 amended by Am. 15, 9 F.R. 1996]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1364.30 *Licensing.* The provisions of Licensing Order No. 1,<sup>1</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1364.30 amended by Supplementary Order No. 72, 8 F.R. 18244, effective 10-1-43]

§ 1364.31 *Relation to other regulations.* The provisions of this Revised Maximum Price Regulation No. 148 supersede the provisions of Maximum Price Regulation No. 421 with respect to first sales and deliveries of imported canned meat in the United States for which maximum prices are established by this regulation, if such sales are made by a person who did not manufacture or process such canned meat. The provisions of this Revised Maximum Price Regulation No. 148 supersede the provisions of the General Maximum Price Regulation<sup>2</sup> with respect to all other sales and deliveries for which maximum prices are established by this regulation.

[§ 1364.31 amended by Am. 11, 8 F.R. 13296]

§ 1364.32 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 148, the term:

(1) "Person" means any individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or

<sup>1</sup> 8 F.R. 13240.

<sup>2</sup> 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Dressed hogs" includes dressed pigs.

(3) "Wholesale pork cuts" means all cuts defived from the carcass of the hog or pig, dressed with head off and kidney and leaf fat out, including but not limited to the following:

(i) All cuts referred to in Appendix A (§ 1364.35);

(ii) Cuts rough or trimmed, bone in or boneless, whole or sliced;

(iii) Cuts fresh or green, fresh or green frozen, cured, smoked, cooked, baked, barbecued, dried, canned or ready-to-eat.

(iv) Cuts loose, wrapped or packed.

Fresh, green, fresh frozen, and green frozen cuts shall not be considered separate wholesale pork cuts. Each brand, type and container size of canned meat listed in Schedule I of Appendix A (§ 1364.35) shall be considered a separate wholesale pork cut. No uncanned sausage other than sausage made in accordance with government specifications and sold to war procurement agencies, shall be considered a wholesale pork cut.

[Subdivision (iii) and (iv) amended by Am. 24, 10 F.R. 5371]

[Subparagraph (3) as amended by Am. 1, 8 F.R. 544]

(4) "Central Price Zone" means the area described as follows: the entire state of Iowa and those parts of Wisconsin, Minnesota, South Dakota, Nebraska, Kansas, Missouri and Illinois which lie south of the 45th parallel, north of the 39th parallel, west of the 91st meridian and east of the 99th meridian, and including Minneapolis, Minnesota, and St. Paul, Minnesota.

(5) "Chicago Price Zone" means the area described as follows: those parts of Wisconsin and Illinois which lie south of the 45th parallel and east of the 91st meridian and including St. Louis, Missouri and St. Louis County, Missouri.

(6) "Sales at retail" mean sales to individuals for consumption by themselves or their families off the seller's premises and/or sales to retailers or purveyors of meals to the extent permitted under the provisions of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 or Maximum Price Regulation No. 394.

[Subparagraph (6) amended by Am. 1 and Am. 30]

(7) "Local delivery" means:

(i) Delivery otherwise than by rail commencing at the seller's place of business, or, in the case of car routes, at the car route unloading point, and continuing to the buyer's store door or warehouse; or

(ii) Delivery by rail or rail and truck, commencing at the seller's place of business and continuing to the buyer's store door or warehouse. The seller, if he desires, may elect to treat a delivery under

this subparagraph (ii) as not constituting a local delivery.

[Subparagraph (7) amended by Am. 4, 8 F.R. 7322; Am. 13, 8 F.R. 15609; and Am. 15, 9 F.R. 1996]

(8) "Similar", when used in the phrase "similar purchaser", refers to the type of purchaser to whom the same price customarily applied during the ninety day period prior to March 9, 1942.

(9) "Carload" means:

(i) A shipment by rail to a single delivery point of at least the minimum weight upon which the railroad carload rate from the point of shipment to the delivery point, as evidenced by the tariffs of railroad carriers, is based: *Provided*, That where the transportation charge for shipment of the lesser weight at the railroad carload rate would be lower than the transportation charge for such a shipment at the railroad less-than-carload rate, such lesser weight shall be considered a carload;

(ii) A shipment by motor truck or trucks to a single delivery point of 15,000 pounds or more as a single bulk sale transaction; and

(iii) Any single bulk sale transaction wherein the buyer takes delivery at the seller's place of business of 15,000 pounds or more.

[Subparagraph (9) amended by Am. 15, 9 F.R. 1996]

(10) "Peddler-truck sale" means a sale of dressed hogs or wholesale pork cuts from stock carried in a truck where the seller's first record of the transaction is made concurrently with the delivery of the product sold, except that prior orders may be taken by the driver of a truck who conducts his meat selling operations in accordance with the provisions of subdivision (i) of this § 1364.32 (a) (10). Peddler-truck sales may be made:

(i) By a person who purchases dressed hogs or wholesale pork cuts from a seller with whom he has no other financial affiliation or relationship; who takes delivery at his supplier's place of business, at a railroad unloading point or at a truck unloading point; and who does not sell or deal in meat in any manner other than to make sales out of a truck which he drives and which he either owns or rents, and which, if rented, has been used or replaces one which has been used by him for making such sales of meat since October 1, 1944; or

[Subparagraph (1) amended by Am. 30]

(ii) By a driver-salesman who makes all his sales of meat out of stock carried in a truck driven by him but owned by a person who used such truck (or the truck which it replaces) exclusively insofar as meat was transported therein or sold therefrom, for making this type of sale, during the month of March 1942.

[Subparagraph (10) amended by Am. 2, 8 F.R. 2922; and Am. 24, 10 F.R. 5371]

(11) "Shipping container" means a sealed box, sealed crate, sealed barrel or a sack and/or cloth wrapping, which becomes the property of the buyer upon de-

livery of the wholesale pork cuts therein contained, or a returnable container of solid wood or metal which must be of a type and size which the seller has customarily used in making delivery of wholesale pork cuts and must be carried into the buyer's place of business in making delivery of products packed therein.

[Subparagraph (11) added by Am. 1, 8 F.R. 544; amended by Am. 2, 8 F.R. 2922, and Am. 13, 8 F.R. 15609]

(12) "Certified dressed hog processor" means any person other than a war procurement agency who does not sell pork at retail except to his own employees or any person other than a war procurement agency who obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs or hog carcasses: *Provided*, That no person may qualify as a certified dressed hog processor until he has (a) filed with a district, state or regional office of the Office of Price Administration an affidavit that he does not sell pork at retail except to his own employees or that he obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs and hog carcasses, and (b) secured from such field office of the Office of Price Administration an endorsement, written on a duplicate copy of such affidavit, acknowledging that he has filed such an affidavit. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

[Subparagraph (12) added by Am. 1, 8 F.R. 544; amended by Am. 2, 8 F.R. 2922; and Am. 20, 10 F.R. 2095]

(13) "Wholesaler" means a person (other than a hotel supply house, a slaughterer or one who makes sales at retail) who processes no more than 25 percent of the total meat purchased by him during any current calendar month, who maintains and operates a separate selling establishment equipped with reasonable and adequate cooling and storage facilities in such a manner that the total amount of meats and meat by-products sold out of stock carried in such establishment constitutes not less than 90 percent of the total monthly poundage of all meats and meat by-products sold by him, who:

(i) Buys pork for resale in the form of dressed hogs and wholesale pork cuts, and who, during the thirty days immediately preceding November 8, 1944, did not make sales at retail, but did maintain and operate a separate selling establishment equipped with reasonable and adequate cooling or storage facilities through which he consummated the major portion of such resales; or

(ii) Engaged in the business of buying pork for resale in the form of dressed hogs and wholesale pork cuts during any three consecutive months in 1942, but did not make sales at retail, who discontinued such business during or after 1942, and who during the last thirty days of the operation of such business maintained and operated a separate selling establishment equipped with reasonable and adequate cooling and storage facilities through which he consummated the

major portion of such resales, who re-engages in the business of buying pork for resale in the form of dressed hogs and wholesale pork cuts.

[Subparagraph (13) added by Am. 1, 8 F.R. 544; amended by Am. 2, 8 F.R. 2922; and Am. 24, 10 F.R. 5371]

(14) "Lowest carload freight rate" means the lowest carload rail tariff applicable generally to the class of meat designated (fresh meat or packing house products): *Provided*, (i) That the general freight rate revisions occurring on or about May 15, 1943, shall apply only to sales made on and after June 1, 1943 and not to deliveries under contracts entered into prior to June 1, 1943; and (ii) That any other change in an applicable tariff shall apply only to sales and deliveries made after the effective date of such change.

[Subparagraph (14) added by Am. 4, 8 F.R. 7322]

(15) "Purveyor of meals" means:

(i) Any restaurant, hotel, cafe, cafeteria or establishment which purchases meats and where meals, food portions or refreshments are served for a consideration;

(ii) Any person operating an ocean going vessel, engaged in the transportation of cargo or passengers in foreign, coastwise or intercoastal trade, to the extent that meat is delivered to him as ship's stores for consumption aboard such vessel;

(iii) Any hospital, asylum, orphanage, prison or other similar institution which is operated by any federal, state or local government or agency thereof, except that no order placed by the Chicago Field Headquarters of the Army Quartermaster Corps or by any of the market centers of the Army Quartermaster Corps with any seller for delivery to an army, navy, marine or coast guard hospital, or to a prisoner-of-war installation, shall be considered a sale to a purveyor of meals.

[Subparagraph (iii) amended by Am. 30]

(iv) Any contract school (means and includes any person who is feeding pursuant to a written contract with any agency of the United States, personnel of the armed services of the United States, fed under the command of a commissioned or noncommissioned officer or other authorized representative of the armed services of the United States.)

[Subdivisions (ii), (iii) and (iv), formerly (iii), (iv) and (v) redesignated and former (ii) revoked by Am. 19, 10 F.R. 703. Subdivision (iv), formerly (v), added by Am. 15, 9 F.R. 1996]

[Subparagraph (15) added by Am. 6, 8 F.R. 7826]

(16) "Intermediate distributor" means a person who is not a "wholesaler" or a "slaughterer" as defined in this § 1364-32 (a), whose business consists of the purchase of meat and its resale in the form of wholesale meat cuts which may be processed by him, who utilizes reasonable and adequate cooling and storage facilities in the conduct of such business in such a manner that during each

current calendar month the total amount of meat and meat by-products sold by him out of stock carried in such facilities constitutes not less than 90% of the total poundage of such products sold by him during that month.

(17) "Hotel supply house" means a seller who meets the specifications set forth in §§ 1364.455 (b) (1), and 1364-470 (b) (1) of Revised Maximum Price Regulation No. 169 or § 1364.160 (a) (5) of Revised Maximum Price Regulation No. 239.

(18) "Slaughterer" means a person who owns or controls a slaughtering plant or slaughtering facilities, or is owned or controlled by a person who owns or controls a slaughtering plant or slaughtering facilities.

[Subparagraph (18) amended by Am. 30]

(19) "Licensed ship supplier" means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators.

(20) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, the Marine Corps, the Coast Guard, the War Shipping Administration, or any agency of the foregoing.

(21) "Own or control" means to own or control directly or indirectly a partnership equity or in excess of 10% of any class of outstanding stock, or to have made loans or advances in excess of 5% of the other person's monthly sales.

(22) "Slaughtering plant" means any plant equipped and used for the commercial killing of calves, cattle, lambs, sheep or hogs, or which, if currently unused for that purpose, can be reconverted to such use without material alteration or delay.

(23) "Slaughtering facilities" means any equipment designed and used for the commercial killing of calves, cattle, lambs, sheep or hogs, or which, if currently unused for that purpose, can be reconverted to such use without material alteration or delay.

[Subparagraphs (16), through (23), inclusive, added by Am. 24, 10 F.R. 5371]

(24) "Great Lakes marine supplier" means a person operating a selling establishment, other than a hotel supply house, from which he is engaged in the buying of pork for resale in the form of wholesale pork cuts and sausage to an operator or operators of a lake vessel or vessels, and who during the calendar year of 1943 sold or delivered to such buyers for consumption aboard such lake vessel or vessels not less than 25 percent of the total volume of meats and meat products sold or delivered from such selling establishment.

(25) "Operator of a lake vessel" means any person who owns or operates a lake vessel or vessels, other than a passenger boat, engaged in shipping upon the Great Lakes, and who in operating such vessel

or vessels purchases or receives meats from a Great Lakes marine supplier for consumption aboard such vessel or vessels.

[Subparagraph (24) and (25) added by Am. 25, 10 F.R. 6244]

(26) (i) A "Group I ship chandler" means a licensed ship supplier (as defined in § 1364.32 (a) (19)) (a) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or in substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (b) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices, and canned vegetables and vegetable juices; (c) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish, and (d) whose "annual total dollar volume" of sales is \$500,000.00 or more. (The term "annual total dollar volume" is explained in subdivision (iii) below).

(ii) A "Group II ship chandler" means a licensed ship supplier as defined in § 1364.32 (a) (19) who has met all the requirements of subdivision (i) hereof for a Group I ship chandler except that his "annual total dollar volume" of sales shall be less than \$500,000.00 and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein, and setting forth in addition his annual total dollar volume of sales. The selling addition provided in Schedule III (e) (8) of § 1364.35 for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(iii) (a) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he used for filing his Federal Income Tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal Income Tax return shall be used to obtain the dollar volume of sales. (b) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed his "annual total dollar volume." (c) If the ship chandler started business after June 8,

1945, he shall be deemed to be a "Group II ship chandler." However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three month period and multiplying it by 4. The result will be his "annual total dollar volume."

[Subparagraph (26) added by Am. 27, 10 F.R. 6948]

(b) When used in this Revised Maximum Price Regulation No. 148 the term:

(1) "Ready to serve without further heating" refers to pork products which have been heated so that all parts of the pork muscle contained therein have reached a temperature of at least 148° F. by a method of heating and under conditions known to insure such result.

[Subparagraph (1) amended by Am. 2, 8 F.R. 2922]

(2) "Baked" refers to a pork product which (i) has been heated in an oven for sufficient time to cause the formation of a brown crust on the surface, the rendering out of the surface fat, the caramelization of sugar, if applied, and the formation of all other characteristics of a baked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 80% of its weight in the green state, or the moisture content of which is not in excess of 3 times the weight of protein minus the weight of sodium chloride as chemically tested.

(3) "Barbecued" refers to a product which (i) has been covered with a spiced sauce and cooked, either in a smokehouse or oven, sufficiently to assume the characteristics of cooked meat; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 80% of its weight in the green state or the moisture content of which is not in excess of 3 times the weight of protein minus the weight of sodium chloride as chemically tested.

(4) "Cooked" refers to a pork product which (i) has been heated, otherwise than in the smokehouse or by barbecuing or baking, for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 85% of its weight in the green state, or the moisture content of which is not in excess of 3.2 times the weight of protein minus the weight of sodium chloride as chemically tested, except that cooked hams, shoulders and picnics, bone in or boneless, but not fatted, listed in items 1, 3, 4, 5, 12 and 13 of Schedule I (a) of § 1364.35 may have a lean meat weight not in excess of 90% of the weight in the green state, or a moisture content in the lean meat not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested.

[Subparagraph (4) amended by Am. 2, 8 F.R. 2922; Am. 16, 9 F.R. 3083; and Am. 19, 10 F.R. 703]

(5) "Ready-to-eat" refers to a pork product which (i) has been heated in the smokehouse for sufficient time to assume

the characteristics of a cooked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 90 percent of its weight in the green state, or the moisture content of which is not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested.

On and after January 3, 1946, each piece of ready-to-eat wholesale pork cut stuffed in a casing must have the words "ready-to-eat" printed or stamped on such casing in letters not less than  $\frac{1}{4}$  inch in height, at least once for each  $1\frac{1}{2}$  inches of the length of the wholesale pork cut. It is not necessary to print or stamp any identification on the meat when such casing is used.

On and after January 3, 1946, each piece of ready-to-eat wholesale pork cut not stuffed in a casing must be identified as follows:

(i) Ham, skin on, must be branded or stamped "ready-to-eat" in letters not less than  $\frac{3}{8}$  of an inch in height appearing at least once in each  $1\frac{1}{2}$  inches of the length from the stifle joint to the butt, and at least once, using the same words in the same size letters on the skin surface on the shank end of the ham (above the stifle joint toward the hock joint).

(ii) Hams, skinned, must be branded or stamped "ready-to-eat" in letters not less than  $\frac{3}{8}$  of an inch in height appearing at least once in each  $1\frac{1}{2}$  inches of the length of the fat surface from the stifle joint to the butt, and at least once, using the same words in the same size letters on the skin surface on the shank end of the ham (above the stifle joint toward the hock joint): *Provided*, That in lieu of branding or stamping the fat surface, a printed tissue paper strip (Kemex or similar material) bearing the words "ready-to-eat" in letters not less than  $\frac{1}{4}$  of an inch in height and appearing at least once in each  $1\frac{1}{2}$  inches of the length of such fat and meat surface of the wholesale pork cut may be firmly affixed thereon.

(iii) Boston butts must be branded or stamped "ready-to-eat" in letters not less than  $\frac{3}{8}$  of an inch in height at least once for each  $1\frac{1}{2}$  inches of the length of such wholesale pork cut: *Provided*, That in lieu of branding or stamping the fat surface, a printed tissue paper strip (Kemex or similar material) bearing the words "ready-to-eat" in letters not less than  $\frac{1}{4}$  of an inch in height and appearing at least once in each  $1\frac{1}{2}$  inches of the length of such fat surface of the wholesale pork cut may be firmly affixed thereon.

(iv) Half skinned picnics must be branded or stamped "ready-to-eat" in letters not less than  $\frac{3}{8}$  of an inch in height appearing at least once in each

$1\frac{1}{2}$  inches of the length of the fat surface of the picnic, and at least once on the skin surface of half skinned picnics: *Provided*, That in lieu of branding or stamping the fat surface, a printed tissue paper strip (Kemex or similar material) bearing the words "ready-to-eat" in letters not less than  $\frac{1}{4}$  of an inch in height and appearing at least once in each  $1\frac{1}{2}$  inches of the length of such fat surface of the picnic may be firmly affixed thereon.

(v) Picnics, skin on, must be branded or stamped "ready-to-eat" in letters not less than  $\frac{3}{8}$  of an inch in height appearing at least once on the shank half and at least once on the butt half of such cut.

(vi) Canadian bacon must be branded or stamped "ready-to-eat" in letters not less than  $\frac{3}{8}$  of an inch in height appearing at least once in every  $1\frac{1}{2}$  inches of the length of such cut: *Provided*, That in lieu of branding or stamping the fat and meat surface, a printed tissue paper strip (Kemex or similar material) bearing the words "ready-to-eat" in letters not less than  $\frac{1}{4}$  of an inch in height and appearing at least once in each  $1\frac{1}{2}$  inches of the length of such fat and meat surface may be firmly affixed thereon.

(vii) Boneless butts must be branded or stamped "ready-to-eat" in letters not less than  $\frac{3}{8}$  of an inch in height appearing at least once in every  $1\frac{1}{2}$  inches of the length of such cut: *Provided*, That in lieu of branding or stamping the fat and meat surface, a printed tissue paper strip (Kemex or similar material) bearing the words "ready-to-eat" in letters not less than  $\frac{1}{4}$  of an inch in height and appearing at least once in each  $1\frac{1}{2}$  inches of the length of such fat and meat surface of the wholesale pork cut may be firmly affixed thereon.

(viii) The identifications of "ready-to-eat" wholesale pork cuts hereinbefore required may be accompanied by the name of the manufacturer, his brand name and his trade mark. The prices for all "ready-to-eat" wholesale pork cuts not stuffed in casings include an allowance for wrapping such cuts in moisture resistant paper. Whenever used, such moisture resistant paper wrappings must have the words "ready-to-eat" in letters not less than  $\frac{1}{4}$  of an inch in height prominently printed or stamped thereon one or more times. In the event any "ready-to-eat" wholesale pork cut not stuffed in casings is sold not wrapped in moisture resistant paper bearing the printed or stamped words "ready-to-eat" as hereinbefore set forth, the seller shall deduct \$0.50 per hundredweight from the applicable maxi-

imum price for such cut specified in Schedule I of Section 1364.35 as required by Schedule II (d) of § 1364.35.

[Subparagraph (5) amended by Am. 24, 10 F.R. 5371; Am. 28, 10 F.R. 7849 and Am. 30]

(6) "Chemically tested" means tested by the methods described in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, 5th Edition, 1940:

Salt (sodium chloride) Ch. XXVIII, para. 2.  
Moisture Ch. XXVIII, para. 5.  
Protein 6.25 x wt. of total nitrogen, Ch. XXVIII, para. 8.

(7) "Dried" refers to a product from which moisture has been evaporated so as to produce a yield from green weight not in excess of the yield indicated for such product in Schedule I (d) of § 1364.35. Yield, for the purpose of compliance with this requirement, shall be determined by dividing the final weight of the product by the green weight of the meat used and expressing the quotient as a percentage. The lean meat of aged, dry cured hams, Prosciutti hams, aged, dry cured shoulders, shall have a total moisture content not in excess of 65 percent of such moisture in the green state or not in excess of 2.5 times the weight of protein minus the weight of sodium chloride as chemically tested. The lean meat of aged, dry cured sides, aged, dry cured bacon and aged, dry cured jowls shall have a moisture content not in excess of 3 times the weight of protein minus the weight of sodium chloride as chemically tested.

[Subparagraph (7) amended by Am. 16, 9 F.R. 3083; and Am. 17, 9 F.R. 4099]

(8) "Smoked" refers to a product which has been smoked by the actual burning of hardwood or hardwood sawdust in such manner as (i) to impart a smoked flavor to the meat, and (ii) to cause the finished weight to be no more than the green weight and to cause the following smoking and hanging shrinks from the weights at the beginning of the smoking process:

Minimum smoking and hanging shrink

Wholesale pork cut	(percent)
Regular and skinned ham	10
Picnic and shoulder	10
Boston butt	8
Boneless butt (cottage butt)	12
Belly (dry cured, semi-dry cured or sweet-pickle cured)	10
Brisket	12
Pork loin	10
Dry salt belly	7
Dry salt fat back	7
Jowl and plate	8
Spareribs	15
Hock, knuckle, and tail	7
Other smoked cuts	7

(9) "Boneless" refers to a product from which all of the bone has been removed.

(10) "Fatted" refers to a product from which the fat has been removed to within  $\frac{1}{2}$  inch of the lean.

(11) "Process" for the purposes of this regulation means to cure, smoke, cook, bake, barbecue, prepare as "ready-to-eat", or dry any meat or meat by-product, and includes the manufacture of any

meat or meat by-product into sausage or canned meats.

[Subparagraph (11) added by Am. 24, 10 F.R. 5371 and amended by Am. 30]

(c) When used in this Revised Maximum Price Regulation No. 148 the following names of wholesale pork cuts refer to cuts meeting the following minimum specifications:

(1) "Grade A sliced bacon": Bacon sliced from dry sugar-cured or semi-dry sugar-cured, fancy-trimmed square-cut, seedless whole bellies, from which the rind has been removed, in whole slices not over 9  $\frac{1}{2}$  inches in length and not over 2  $\frac{1}{4}$  inches or less than  $\frac{3}{4}$  of an inch in width, containing no more than two part slices to the package.

(2) "Grade B sliced bacon": Bacon sliced from dry sugar-cured, semi-dry sugar-cured or sweet pickle sugar-cured whole bellies, from which the rind has been removed, in whole slices not over 11 inches in length and not over 3 inches or less than  $\frac{3}{4}$  of an inch in width, containing no more than two part slices to the package.

(3) "Grade C sliced bacon": All bacon sliced from oily bacon bellies, and all other bacon sliced from bellies which will not qualify as Grade A or Grade B sliced bacon, exclusive of ends and broken pieces.

(4) "Regular ham": Hams cut off from the hog carcass not less than 2  $\frac{1}{4}$  inches nor more than 2  $\frac{3}{4}$  inches from the exposed end of the aitch bone, properly faced, with the shank cut off at or above the hock joint, with loose and gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank.

(5) "Skinned ham": Hams cut as regular hams but with the skin removed to leave a collar covering not more than 40% of the length of the ham, with the fat beveled back at least 3 inches from the lean meat at the butt, neatly rounded and beveled on flank and cushion, with not over 1  $\frac{1}{4}$  inches of fat left on any portion of the ham from which the skin has been removed.

(6) "Regular or skinned ham, short shank": Regular or skinned hams from which the shank has been cut off 2  $\frac{1}{2}$  inches shorter than in the regular or skinned hams.

(7) "Regular or skinned ham, shankless": Regular or skinned hams from which the shank (hock) has been cut off not more than 3 inches below the stifle joint (toward the foot).

[Subparagraph (7) amended by Am. 26, 10 F.R. 6233]

(8) "Regular picnics": Picnics cut from shoulders not less than one rib wide in such a manner as to leave not less than 1 inch or more than 2  $\frac{1}{2}$  inches of blade bone in the picnic, closely trimmed, properly faced, with the lip and breast flap removed, well rounded and with fat properly beveled on the butt end, with the foot cut off at or above the upper knee joint (toward the body of the hog).

(9) "Regular picnic, short shank": Regular picnics from which the shank has been cut off 2 inches from the arm pit and parallel to the knee joint.

(10) "Regular picnic, shankless": Regular picnics from which the shank has been cut off close to the breast and parallel to the knee joint.

(11) "Regular picnic, half skinned": Regular picnics from which the skin has been removed from at least 2  $\frac{1}{2}$  inches of the butt end of weights 8 pounds or less and from at least 3 inches of the butt end of weights over eight pounds and beveled from the beginning of the skinned portion to the lean meat at the butt end.

[Subparagraphs (8) and (11) amended by Am. 19, 10 F.R. 703]

(12) "Rough shoulder": An untrimmed shoulder with foot and jowl cut off and neck bone left in or out.

(13) "Regular shoulder": Shoulders cut not less than one rib wide, with the breast flap taken off, the jowl removed close to the body of the shoulder and the neck bone removed, and with the foot cut off at or above the upper knee joint (toward the body of the hog).

[Subparagraph (13) amended by Am. 19, 10 F.R. 703; and Am. 24, 10 F.R. 5371]

(14) "Skinned shoulders": Shoulders cut as regular shoulders, but with skin taken off within 4 inches of the base of the shank, neatly beveled on the edges, and with not over  $\frac{3}{4}$  inch of fat left on any portion of the shoulder from which the skin has been removed.

(15) "Regular or skinned shoulder, short shank": Regular or skinned shoulders from which the shank has been cut off 2 inches from the arm pit and parallel to the knee joint.

(16) "Regular or skinned shoulder, shankless": Regular or skinned shoulders from which the shank has been cut off close to the breast and parallel to the knee joint.

(17) "Blade butt or blade bone": Blade bones and lean meat taken from a regular plate in converting it to a clear plate.

(18) "Boston butt": Butts the surplus fat of which has been removed to within  $\frac{1}{2}$  inch of the lean meat on all portions of the butt and which are neatly beveled on the edges.

(19) "Boneless butt, cellar trim": Boneless butts from which the lip has been removed and which are trimmed smooth on all edges.

(20) "Regular pork loins": Loins from which all excess fat over the tenderloin has been removed and the fat on the back of which does not exceed  $\frac{1}{2}$  inch in thickness.

(21) "Regular pork loins, bladeless": Regular pork loins from which the whole shoulder blade bone has been removed.

(22) "Boneless pork loins or Canadian bacon": The boneless eye-muscle only, which has been separated from the other parts of the pork loin at the natural muscle seam. The fat shall not exceed  $\frac{1}{4}$  inch in thickness.

(23) "Fat back pork": Pork derived from the fat back of well finished hogs and cut into pieces about 6 inches square.

(24) "Bean pork": Jowl butts, neatly trimmed on the face and squared on the edges.

(25) "Clear plate pork": Clear plates, free of bone, reasonably free of lean, and squared on the neck side.

(26) "Regular pork trimmings": Trimmings having not in excess of 50% trimmable fat.

(27) "Special lean pork trimmings": Pork trimmings having not in excess of 15 percent trimmable fat.

(28) "Extra lean pork trimmings": Trimmings having not in excess of 5 percent trimmable fat.

(29) "Blade meat": Meat removed from blade bones and having not in excess of 5 percent trimmable fat.

(30) "Aged, dry cured": Products which have been dry cured and then hung for smoking and drying. The combined period for such curing and hanging for each type of aged, dry cured product listed herein shall constitute not less than the time indicated in the following table, and the total of the cured weights of all pieces of each type of aged, dry cured product obtained from any curing lot after completion of the combined curing and hanging process shall not exceed the yield specified in Schedule I (d).

Item:	Length of combined curing and hanging period (months)
(i) Aged, dry cured hams	5
(ii) Aged, dry cured shoulders	4
(iii) Aged, dry cured bacon	3
(iv) Aged, dry cured sides (packer)	3
(v) Aged, dry cured sides (country)	3
(vi) Aged, dry cured bacon sides (boneless)	3
(vii) Aged, dry cured bacon sides (sparerib in)	3
(viii) Aged, dry cured jowls	2

[Subparagraph (30) amended by Am. 16, 9 F.R. 3083; Am. 19, 10 F.R. 703; and Am. 24, 10 F.R. 5371]

(31) "Bellies, square cut and seedless": Boneless bellies made from smooth barrows, gilts, or sows and trimmed square on all edges except that the flank may be cut on a bias of not to exceed 1 inch, and if derived from gilts or sows, cut down until seed is removed, except for slight traces of firm white or pink seed. This term does not include bellies of 12 lbs. and under, which are less than  $\frac{5}{8}$  of an inch in thickness, bellies of 12 lbs. and up, which are less than  $\frac{3}{4}$  of an inch in thickness, nor bellies damaged by scribing, or cut extremely long and narrow, or extremely wide and short, or  $1\frac{1}{4}$  inches beyond the scribe mark, which bellies shall be deemed substandard.

(32) "Bellies, fancy trimmed": Boneless bellies of high quality free from skin cuts, hair roots, rough skin and bruises, which meet all requirements for square-cut and seedless bellies except that all traces of seed must be removed, and the cartilage must be removed from the brisket end and they must be practically free of buttons.

(33) "Bellies, fancy trimmed with brisket off": All fancy trimmed bellies from which the brisket has been cut off behind the shoulder crease.

(34) "Clear bellies, dry salt trim": Bellies reasonably square-cut without excessive boot-jack and boneless.

(35) "Rib bellies, dry salt trim": Bellies cut like clear bellies, dry salt trim, but with the spareribs left in.

(36) "Clear bellies, dry salt square cut trim": Boneless bellies with the boot-Jack removed and squarely trimmed on all sides.

(37) "Hams, skin on, long cut bone in": Hams cut off from the hog carcass at a point not to exceed three inches beyond the end of the saucer bone (slip bone), with the shank cut off not to exceed one inch below the hock joint, with loose gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank.

[Subparagraph 37 amended by Am. 30]

(38) "Dried jowl": includes the lower jawbone with the teeth removed but having attached to it the head meat, tongue, lip and jaws of the pig or hog.

[Subparagraph (38), formerly (39), added by Am. 16, 9 F.R. 3083; redesignated by Am. 17, 9 F.R. 4099]

(39) (i) "Dried side (packer cured)": That part of the dressed hog (side) which remains after removal of the ham, shoulder, and backbone (chine and finger bone). In removing the backbone care should be exercised to avoid scoring or leaving any part of the loin muscle on the backbone. If derived from sows, all milky, black or red seed shall be removed. The bootjack shall be trimmed reasonably square except that the flank end may be cut on a slight bias to allow for shrink in curing and drying. Any portion of the shoulder blade bone remaining in the pork loin must be removed.

[Subparagraph (1) amended by Am. 30]

(ii) "Dried side (country cured)": That part of the dressed hog (side) which remains after removal of the ham, shoulder and country backbone; the ham must be long cut; the shoulder must be cut from the side so that all the brisket is removed from the belly; and the country backbone must be removed in accordance with the requirements of subparagraphs (50) of this § 1364.32 (c). [Note: "Dried sides (country cured)" may be sold only if produced by producers of "country backbones". (See note to § 1364.32 (c) (50).)]

[Subparagraph (39), formerly (40); added by Am. 16, 9 F.R. 3083; redesignated by Am. 17, 9 F.R. 4099; amended by Am. 24, 10 F.R. 5371]

(40) "Cappicola butt": A pork product made from whole cured boneless shoulder butts, cellar trimmed, spiced and stuffed in natural or artificial casings; (i) which has been heated for sufficient time to assume the characteristics of a cooked product; (ii) which is ready to serve without further heating; (iii) and which has a finished weight not in excess of 85 percent of the green weight of the boneless butts used and the moisture content of which does not exceed 3.2 times the weight of the protein minus the weight of the sodium chloride as chemically tested.

[Subparagraph (40) added by Am. 17, 9 F.R. 4099; amended by Am. 19, 10 F.R. 703]

(41) "Belly squares, dry salt trim": Belly squares (or strips) made by cutting dry salt trim bellies at right angles to

the length (crosswise) of the bellies, making two or more pieces not less than 4 inches in width measuring from the narrowest part.

(42) "Feet, short cut": Front or hind pigs feet. Front feet are cut from the shoulder at or above the upper knee joint (toward the body of the hog); hind feet are cut from the ham at or above the hock joint (toward the body of the hog), with the exposed part of the gambrel cord (tendon) entirely removed.

(43) "Feet, long cut": Front pigs feet which have been cut from the shoulder at a point not more than two inches from the arm pit and parallel to the knee joint.

(44) "Hocks". (i) "Hocks, shoulder": the lower part of the foreshank, which is removed in making shankless shoulders or picnics. The foot is to be removed at or above the upper knee joint toward the body of the hog.

(ii) "Hocks, ham, from overseas hams": the lower part of the ham which is removed in making overseas hams in accordance with CQD specifications; the foot is to be cut off at or above the hock joint (toward the body of the hog) and the hock is to be removed from the ham by cutting through the stifle joint, deflecting the cut at an angle of approximately 45 degrees toward the exposed flank.

(iii) "Hocks, ham, from shankless regular or skinned hams": the foot is to be cut off at or above the hock joint (toward the body of the hog) and the hock is to be removed from the ham by cutting through the shank not more than three inches below the stifle joint (toward the foot).

[Subparagraph (44) amended by Am. 26, 10 F.R. 6233]

(45) "Knuckles": The lower part of the foreshank (or hind shank), which is removed in making short shank shoulders, picnics or hams. The knuckle removed from shoulders or picnics shall have the foot removed at or above the upper knee joint (toward the body of the hog); the knuckle removed from the hams shall have the foot removed at or above the hock joint (toward the body of the hog).

(46) "Jowl butts": Whole jowls, trimmed free of blood clots and ragged pieces.

(47) "Square jowl butts": Whole jowls which have been pressed or flattened, trimmed square on all edges, face side faced smoothly, and trimmed free from blood clots.

(48) "Neck fat-skin on": Trimmed the same as jowl butts except that part pieces may be included.

(49) "Neck fat-skinned": The same as neck fat-skin on, except that all skin shall be removed.

(50) "Country back bone": Back bone cut from the entire length of the hog carcass, in a reasonably straight line, starting the cuts on each side of the tail bone, and continuing the cuts through the ribs on each side of the chine bone, to the shoulder end of the carcass. All the meat adhering to the back bone in making this cut shall be left attached. The fat attached to the back bone shall not exceed  $\frac{3}{4}$  inch in thickness at any point. All loose fat and skin shall be removed.

NOTE: This item may be sold at wholesale levels only if produced by bona-fide farmers who do their own slaughtering as an incident to their agricultural operations, and who do not engage in commercial slaughtering either on a full or part-time basis.

[Subparagraph (41) through (50), inclusive, added by Am. 19, 10 F.R. 703]

(51) "Dried bacon side": Bellies made from smooth barrows, gilts or sows as described in subparagraph (31) of this § 1364.32 (c); sides to be trimmed square cut and seedless when green. Removal of the sparerib is optional other than in instances where sow sides require excessive trimming to remove the seed. In these latter cases the sparerib must be removed. Where the sparerib is removed the breastbone also must be removed, making the side boneless except for cartilage remaining after such removal.

(52) "Aged, dry cured bacon": Bacon made from bellies meeting the specifications for "bellies, fancy trimmed with brisket off" as described in subparagraph (33) of this § 1364.32 (c); bellies to be trimmed square cut and seedless when green; and which have been cured and hung for smoking and drying in accordance with the requirements of subparagraph (30) of this § 1364.32 (c).

(53) "Aged, dry cured shoulders": Shoulders meeting the specifications for "regular shoulder" as described in subparagraph (13) of this § 1364.32 (c) except that the foot may be cut off at or above the lower knee joint (toward the body of the hog) and except that the shoulder shall be cut from the side so that it is not less than three ribs wide and all of the brisket is removed from the belly, and which have been cured and hung for smoking and drying in accordance with the requirements of subparagraph (30) of this § 1364.32 (c).

(54) "Aged, dry cured hams": Hams meeting the specifications for "hams,—skin on, long cut, bone in", as described in subparagraph (37) of this § 1364.32 (c) which have been cured and hung for smoking and drying in accordance with the requirements of subparagraph (30) of this § 1364.32 (c).

[Subparagraphs (51) through (54), inclusive, added by Am. 24, 10 F.R. 5371 and amended by Am. 30]

[Paragraph (c) amended by Am. 2, 8 F.R. 2922; Am. 12, 8 F.R. 15191; Am. 14, 8 F.R. 16426; and Am. 15, 9 F.R. 1996]

(d) When used in this Revised Maximum Price Regulation No. 148, the term:

(1) "Packer style" means a dressed hog, scalded or skinned, with the head off, kidneys and leaf fat out, and ham facings off.

(2) "Shipper style" means a dressed hog, scalded or skinned, with the head on, kidneys and leaf fat in, and ham facings on.

[Subparagraphs (1) and (2) amended by Am. 30]

(3) "Current Chicago live hog price" of hogs other than oily hogs, stags and boars means the highest price quoted, for live hogs of the applicable weight, in the current Chicago Daily Livestock Market Report of the Agricultural Marketing Administration of the U. S. Department of Agriculture, minus an amount \$0.30 less than the current live hundredweight subsidy rate. "Current Chicago live hog price" of oily hogs means the price determined by deducting \$1.00 per hundredweight and an additional amount \$0.30 less than the current live hundredweight subsidy rate from the highest price quoted, for live butcher hogs of the applicable weight, in such current report. "Current Chicago live hog price" of stags means the price determined by deducting \$1.50 per hundredweight and an additional amount \$0.30 less than the current live hundredweight subsidy rate from the highest price quoted, for live sows or butcher hogs of the applicable weight, in such current report.

"Current Chicago live hog price" of boars means the price determined by deducting \$4.00 per hundredweight and an additional amount \$0.30 less than the current live hundredweight subsidy rate from the highest price quoted, for live sows or butcher hogs of the applicable weight, in such current report. As to all shipments of dressed hogs from points east of the 85th meridian, the current report shall be deemed to be that for the third market day preceding shipment of such dressed hogs. As to all shipments of dressed hogs from points west of the 109th meridian, the current report shall be deemed to be that for the fifth market day preceding such shipment. As to all shipments of dressed hogs from points east of the 109th meridian and west of the 95th meridian and from points east of the Mississippi River, south of Kentucky and west of the 85th meridian, the current report shall be deemed to be that of the second market day preceding such shipment. As to all shipments of dressed hogs from any other point, the current report shall be deemed to be that for the market day preceding such shipment.

[Subparagraph (3) amended by Am. 26, 10 F.R. 6233]

(4) "Designated transportation differential" means a transportation differential determined as provided in subparagraphs (1), (2), (3) and (4) of § 1364.22 (d).

[Paragraph (d) added by Am. 24, 10 F.R. 5371]

§ 1364.33 Revocation of orders issued under Maximum Price Regulation No. 148. Orders numbered 1 and 3 to 28, both inclusive, under Maximum Price Regulation No. 148 are hereby revoked.

§ 1364.34 Effective date. Revised Maximum Price Regulation No. 148 (§§ 1364.21 to 1364.36, inclusive) shall become effective November 2, 1942. [RMPR 148 originally issued October 22, 1942.]

[Effective dates of amendments follow:

Amendment 1, effective January 19, 1943.  
Amendment 2, effective March 6, 1943, except that as to all sales to war procurement agencies of the United States Government, effective March 1, 1943.

Amendment 3, effective April 10, 1943.

Amendment 4, effective May 31, 1943.

Amendment 5, effective (1) as to sales or deliveries of fresh and frozen wholesale pork cuts, by others than wholesalers, June 14, 1943; (2) as to sales or deliveries of fresh and frozen wholesale pork cuts, by wholesalers, June 19, 1943; (3) as to sales or deliveries of cured and processed wholesale pork cuts, by others than wholesalers, June 28, 1943; and (4) as to sales or deliveries of cured and processed wholesale pork cuts, by wholesalers, July 5, 1943. (Amended by Am. 7, 8 F.R. 8677.)

Amendment 6, effective June 9, 1943.

Amendment 7, effective June 14, 1943.

Amendment 8, effective August 3, 1943, except that, as to sales and deliveries of dressed hogs, effective August 8, 1943.  
Amendment 9, effective July 30, 1943.  
Amendment 10, effective August 13, 1943.  
Amendment 11, effective October 4, 1943.  
Amendment 12, effective November 9, 1943.  
Amendment 13, effective November 20, 1943.  
Amendment 14, effective December 10, 1943, except that as to § 1364.35, Schedule I (d), effective January 15, 1944.

Amendment 15, effective February 24, 1944, except that as to revocation of § 1364.22a, effective March 1, 1944.  
Amendment 16, effective March 27, 1944.  
Amendment 17, effective April 15, 1944, except that § 1364.32 (b) (7) and Schedule I (d) of § 1364.35 shall become effective April 22, 1944.

Amendment 18, effective September 6, 1944.  
Amendment 19, effective January 22, 1945.  
Amendment 20, effective February 20, 1945.  
Amendment 21, effective March 3, 1945.  
Amendment 22, effective March 27, 1945.  
Amendment 23, effective April 20, 1945.  
Amendment 24, effective May 14, 1945.  
Amendment 25, effective June 7, 1945.  
Amendment 26, effective May 26, 1945.  
Amendment 27, effective June 9, 1945.  
Amendment 28, effective June 26, 1945.  
Amendment 29, effective November 10, 1945.  
Amendment 30, effective December 3, 1945.

## § 1364.35 Appendix A—Schedules I, II and III.

[Heading amended by Am. 24, 10 F.R. 5371]

## SCHEDULE I—PRICES OF WHOLESALE PORK CUTS

[All prices are per hundredweight loose basis, and do not include boxing, transportation or delivery costs except where indicated otherwise. Weights are by range and not by average]

## (a) Pork Cuts: green or frozen, cured, smoked, ready-to-eat and cooked.

Item	Green or frozen		Cured		Smoked		Ready-to-eat		Cooked	
	Weight (pounds)	Price (dollars)								
1. Hams—regular bone-in	Under 14	\$22.25	Under 14	\$22.25	Under 14	\$26.25	Under 12	\$29.00	Under 12	\$29.00
	14-18	21.50	14-18	21.50	14-18	25.50	12-16	28.25	12-16	28.25
	Over 18	20.50	Over 18	20.50	Over 18	24.50	Over 16	27.25	Over 16	27.25
2. *Hams—skin on, long cut, bone-in (may be sold only to be "aged, dry cured").	Under 14	22.25								
14 to 18	21.50									
Over 18	20.50									
3. Hams—skinned bone-in	Under 14	24.25	Under 14	24.25	Under 14	28.50	Under 12	31.50	Under 12	31.50
	14-18	23.50	14-18	23.50	14-18	27.75	12-16	30.75	12-16	30.75
	Over 18	22.50	Over 18	22.50	Over 18	26.75	Over 16	29.75	Over 16	29.75
4. Hams—regular boneless	Under 14	25.25	Under 14	25.25	Under 12	29.75	Under 12	32.75	Under 12	32.75
	14-18	24.50	14-18	24.50	12-16	29.00	12-14	32.00	12-14	32.00
	Over 18	23.50	Over 18	23.50	Over 16	28.00	Over 14	31.00	Over 14	31.00
5. Hams—skinned boneless	Under 14	27.50	Under 14	27.50	Under 12	32.25	Under 12	35.50	Under 12	35.50
	14-18	26.75	14-18	26.75	12-16	31.50	12-14	34.75	12-14	34.75
	Over 18	25.75	Over 18	25.75	Over 16	30.50	Over 14	33.75	Over 14	33.75
6. Hams—Regular boneless and fatted	Under 10	30.00	Under 10	30.00	Under 10	33.50	Under 8	38.75	Under 8	41.50
	10-14	29.00	10-14	29.00	10-12	34.50	8-12	37.75	8-10	39.75
	Over 14	27.50	Over 14	27.50	Over 12	33.00	Over 12	36.25	Over 10	37.50
7. Hams—skinless, boneless and fatted	Under 10	32.50	Under 10	32.50	Under 10	38.25	Under 8	41.75	Under 8	44.75
	10-14	31.50	10-14	31.50	10-12	37.25	8-12	40.75	8-10	43.00
	Over 14	30.00	Over 14	30.00	Over 12	35.75	Over 12	39.25	Over 10	40.50
8. Boston butts	3-4	25.00								
	4-8	25.00	4-8	25.50	4-8	30.25	4-7	33.25		
	Over 8	24.00	Over 8	24.50	Over 8	29.25	Over 7	32.25		
9. Bellies—square cut and seedless	Under 8	18.00	Under 8	19.00	Under 8	23.00				
	S-12	17.50	S-12	18.50	S-12	22.50				
	12-16	16.00	12-16	17.00	12-14	21.00				
	16-20	15.50	16-20	16.50	14-18	20.50				
10. Bellies—square cut and seedless, derinded	20-22	15.00	20-22	16.00	18-20	20.00				
	Under 8	20.25	Under 8	21.25	Under 8	25.75				
	8-12	19.75	8-12	20.75	8-10	25.25				
	12-16	18.00	12-16	19.00	10-14	22.50				
	16-20	17.50	16-20	18.50	14-16	21.75				
11. Loins—regular	Under 12	23.50	Under 12	24.00	Under 10	27.50				
	12-16	22.00	12-16	22.50	10-14	26.00				
	16-20	21.00	16-20	21.50	14-18	25.00				
	Over 20	20.00	Over 20	20.50	Over 18	24.00				
12. Picnics:										
Bone in		20.50		20.50		24.50		27.25		27.25
Boneless		23.75		23.75		28.25		31.25		31.25
Boneless, fatted and skinless		28.25		28.25		34.00		37.25		37.50
13. Shoulders—skinned (neck bone out):										
Bone in		22.50		22.50		26.50				29.50
Boneless		25.75		25.75		30.25				33.00
Boneless fatted and skinless		28.50		28.50		34.25				38.25
14. Shoulders—regular neck bone out		20.50		20.50		24.50				
15. Shoulders—rough:										
Neck bone in		19.25		19.25		23.25				
Neck bone out		20.25		20.25		24.25				
16. Butts—boneless C. T.		29.00		29.50		37.50		41.00		
17. Loins—boneless (may not be sold to retailers)		33.50		34.00		41.25		45.00		
18. Canadian bacon						49.75		53.50		
19. Sliced Canadian bacon										
20. Briskets		12.50		13.50		17.75				
**21. Sliced bacon, derinded [Note: Price does not include special wrapping, packaging or shipping container.]						29.00				
Standard Grade A						26.00				
Standard Grade B						24.75				
Standard Grade C						17.50				
Sliced jowl butts						17.00				
Sliced regular plates						15.00				
Bacon end slices										

[\*Item description amended; \*\*Item 21 amended by Am. 30]

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS—Continued  
(b) Pork cuts: green or frozen, cured, smoked and barbecued.

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS—Continued  
(1) Miscellaneous pork cuts.

Item	Green or frozen	Cured	Smoked	Barbecued
1. Fat backs:				
Under 12 pounds	\$11.00	\$11.00	\$13.50	
12-16 pounds	11.50	11.50	14.00	
Over 16 pounds	12.00	12.00	14.50	
2. Fat back ends or squares	10.25	10.25	12.75	
3. Bellies or belly squares—dry salt trim (clear or rib)	14.50	15.00	17.50	
4. Plates and jowls:				
Clear plates	10.25	10.75	13.00	
Regular plates	11.35	11.75	14.00	
Jowl butts	10.55	10.75	13.00	
Square Jowl butts	11.75	12.50	16.00	
5. Spare ribs:				
3 pounds or less	16.25	\$17.25	22.25	
3 to 4 pounds	13.75	14.75	18.75	
5 pounds or over	12.25	12.25	13.25	
6. Barbecue ribs, brisket bone off	18.50	18.50	19.50	
7. Loin ribs	17.00	18.00	23.00	
8. Sparerib brisket bones	6.75	6.75	7.75	
9. Wrapped:				
(c) Pork cuts: cooked and smoked and baked or barbecued (wrapped).				

Item	Cooked and smoked		Baked or barbecued	
	Weight	Price	Weight	Price
1. Hams—regular, boneless and fatted	Pounds	\$12.75	Pounds	\$16.00
Under 8	41.00	Under 8	44.00	
8-10	38.75	8-10	41.50	
Over 10	46.25	Over 10	49.25	
Under 8	44.50	Under 8	47.25	
8-10	42.00	8-10	44.50	
Over 10	38.50	Over 10	42.25	
All weights	41.75	All weights	41.75	

Item	Price	Yield of curing lot in percentage of green weight	Item	Fresh or frozen	Cured	FAT BACK PORK		
						1. Pork sausage material.	2. 30-40 or 40-50	3. 50-60 or 60-70
1. Aged, dry cured hams	\$38.50	73	1. Regular trimmings—30% fat	\$18.00	\$18.00	1. Regular trimmings not more than 20% fat	27.25	27.25
2. Aged, dry cured shoulders	26.10	73	2. Special lean trimmings (85% lean)	28.50	28.50	2. Special lean trimmings (85% lean)	28.50	28.50
3. Aged, dry cured bacon	27.75	80	3. Extra lean trimmings (98% lean)	30.50	30.50	3. Extra lean trimmings (98% lean)	30.50	30.50
4. Aged, dry cured sides (bacon)	25.00	80	4. Neck bone trimmings	27.25	27.25	4. Neck bone trimmings	27.25	27.25
5. Aged, dry cured sides (country) (May be sold by farmers only)	24.00	80	5. Brisket meat	32.25	32.25	5. Brisket meat	32.25	32.25
6. Aged, dry cured bacon sides (boneless)	24.50	80	6. Bladie meat	11.00	10.25	6. Bladie meat	11.00	10.25
7. Aged, dry cured bacon sides (sparerib in)	23.50	80	7. Skinned neck fat	10.25	10.25	7. Skinned neck fat	10.25	10.25
8. Aged, dry cured jowls	17.25	85	8. Skin-on neck fat	11.00	11.00	8. Skin-on neck fat	11.00	11.00
			9. Skinned back fat	10.50	10.50	9. Skinned back fat	10.50	10.50
			10. Skinned ham fat	11.00	11.00	10. Skinned ham fat	11.00	11.00
			11. Skinned shoulder fat	11.00	11.00	11. Skinned shoulder fat	11.00	11.00
			Yield in percentage of green weight			6. Vinegar pickled pork feet, cooked, bone in		
9. Prosciutto hams	36.50	76						
10. Aged, dry cured ham, cooked	66.50							
11. Aged, dry cured ham, baked	66.50							

Items 10 and 11 added by Am. 301

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## SCHEDULE I—PRICES OF WHOLESALE PORK CUTS—Continued

(1) Products for sale only (1) to war procurement agencies, (2) to licensed ship suppliers for resale only to ship operators, and (3) to ship operators. Prepared according to United States government specifications. [For exception see § 1364.22 (h) (2).]

## Paragraph heading amended by Am. 30]

Fresh, frozen, cured and smoked items	Weight (pounds)	Price
1. Wiltshires—cured.		
2. Wiltshires—scalded, frozen in sacks.	8-10	\$30.75
3. Overseas hams: Regular—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).	10-14	21.00
4. Overseas hams: Skinned—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).	14-18	32.75
5. Export hams: Regular—shank on (96 hour smoke, long cure, not wrapped. Packed in salt—F. S. C. C. specifications).	10-14	31.00
6. Export hams: Skinned—shank on (96 hour smoke, long cure, not wrapped. Packed in salt—F. S. C. C. specifications).	14-18	35.25
7. War hams: Regular (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct \$.75 per cwt. if smoked 24 hours or more but less than 45 hours).	12-16	34.30
8. War hams: Skinned (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct \$.75 per cwt. if smoked 24 hours or more but less than 45 hours).	8-12	33.50
9. Issue hams: Regular (short cure, 48 hour smoke, commercial wrapping). (If smoked 24 hours or more but less than 45 hours, use prices stated for smoked regular hams, Item 1 of Schedule 1 (h).)	14-18	27.25
10. Issue hams: Skinned (short cure, 48 hour smoke, commercial wrapping). (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked skinned hams, item 3 of Schedule 1 (h).)	8-12	29.00
11. Export hams: Regular (short cure, smoked 96 hours, not wrapped, packed in salt, F. S. C. C. specifications).	12-16	28.50
12. Export hams: Skinned (short cure, smoked 96 hours, not wrapped, packed in salt, F. S. C. C. specifications).	Over 16	28.75
13. War bacon (Fancy trimmed, Type 1, Smoked 48 hours. Commercial wrapping, C. Q. D. specifications).	8-12	25.00
14. Overseas bacon (Fancy trimmed, Type 2, smoked 96 hours. Dry salt cured, wrapped in muslin. Packed in salt—C. Q. D. specifications).	14-18	23.00
15. Rib backs:		
Short cut, dry salt cure.	10 and down	18.50
Short cut, dry salt cure, smoked (F. S. C. C. specifications).	10-12	22.75
16. Semi-boneless loins:		
17. Smoked picnics—export (F. S. C. C. specifications).	12-18	24.50
18. Pork sausage, fresh or frozen:		
Bulk.	23.00	27.00
In artificial casings.		28.00
In hog casings.		30.00
In sheep casings.		32.00
19. Meats pork in barrels	Net weight	Price
20. Fat back pork, CCC specifications.	Net shipped weight	\$12.75
A. In 200 lb. barrels:		
30-40 or 40-50 pieces per 200 lb. barrel	204 lbs	30.00
50-60 or 60-70 pieces per 200 lb. barrel	204 lbs	29.00
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel	204 lbs	28.00
B. In 300 lb. tiers:		
30-40 or 40-50 pieces per 200 lb. barrel	306 lbs	44.00
50-60 or 60-70 pieces per 200 lb. barrel	306 lbs	42.50
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel	306 lbs	41.00

Note: If second-hand tiers are used, deduct \$2.25 per tier from the above prices.

## SCHEDULE I—PRICES OF WHOLESALE PORK CUTS—Continued

## Canned pork items

21. Sliced luncheon meat:	Size of can	Price per 100 pounds
Cylindrical cans:		
Rectangular cans:		
22. Sliced ham:		
Cylindrical cans:	12 oz.	\$33.75
Rectangular cans:	12 oz.	34.25
23. Pork sausage:	2½ lbs.	32.25
24. Pork sausage links, S. C. H. G.	6 lbs.	32.00
25. Pork sausage soy links.		
26. Corned pork.		
27. Sliced bacon (F. D. A. specifications):		
Sliced bacon (C. Q. D. 135A specifications):		
28. Slab bacon (type II, C. Q. D. 33E specifications):		
29. Pork tongues:		
30. Pork soy segments:		
31. Cvinaya tushenka (manufactured in accordance with F. S. C. C. specifications. Revised Schedule 10, Items 1670, 1671, 1672 or 1673. These specifications do not prescribe cvinaya tushenka from being manufactured according to other specifications for sale only to war procurement agencies, but any such product not meeting the specifications prescribed herein, shall be priced in accordance with the provisions of Revised Maximum Price Regulation No. 156).		
32. Pork and gravy:		
Brusel:	30 oz.	40.25
Unbrusel:	30 oz.	35.25
33. Pork sausage meat (C. Q. D. 38A specifications):		
34. Sliced bacon (type II, C. Q. D. 33E specifications):		
35. Pork sausage, S. C. (Type II, C. Q. D. 98B specifications):		
36. Pork and gravy:		
Brusel:	30 oz.	40.25
Unbrusel:	30 oz.	35.25
37. Pork sausage meat (C. Q. D. 38A specifications):		
38. Sliced bacon (type II, C. Q. D. 33E specifications):		
39. Pork sausages:		
40. Pork sausages:		
41. Pork sausages:		
42. Pork sausages:		
43. Pork sausages:		

SCHEDULE I—AMENDED	PRICES LISTED IN SCHEDULE I	PRICES LISTED IN SCHEDULE I
7671, 8376; Am. 10, 8 F.R. 11380; Am. 11, 8 F.R. 13296; Am. 12, 8 F.R. 15191; Am. 13, 8 F.R. 15609; Am. 14, 8 F.R. 16426; Am. 15, 9 F.R. 1996; Am. 16, 9 F.R. 3083; Am. 17, 9 F.R. 3099; Am. 18, 9 F.R. 11076; Am. 19, 10 F.R. 703; Am. 21, 10 F.R. 2514; Am. 22, 10 F.R. 3362; Am. 23, 10 F.R. 4265; Am. 24, 10 F.R. 5371; Am. 26, 10 F.R. 6233 and as otherwise noted]		
[Schedule I amended by Am. 1, 8 F.R. 544; Am. 2, 8 F.R. 2922; Am. 4, 8 F.R. 7322; Am. 5, 8 F.R. 7671, 8376; Am. 10, 8 F.R. 11380; Am. 11, 8 F.R. 13296; Am. 12, 8 F.R. 15191; Am. 13, 8 F.R. 15609; Am. 14, 8 F.R. 16426; Am. 15, 9 F.R. 1996; Am. 16, 9 F.R. 3083; Am. 17, 9 F.R. 3099; Am. 18, 9 F.R. 11076; Am. 19, 10 F.R. 703; Am. 21, 10 F.R. 2514; Am. 22, 10 F.R. 3362; Am. 23, 10 F.R. 4265; Am. 24, 10 F.R. 5371; Am. 26, 10 F.R. 6233 and as otherwise noted]		
20. Fat back pork, CCC specifications.		
A. In 200 lb. barrels:		
30-40 or 40-50 pieces per 200 lb. barrel	204 lbs	30.00
50-60 or 60-70 pieces per 200 lb. barrel	204 lbs	29.00
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel	204 lbs	28.00
B. In 300 lb. tiers:		
30-40 or 40-50 pieces per 200 lb. barrel	306 lbs	44.00
50-60 or 60-70 pieces per 200 lb. barrel	306 lbs	42.50
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel	306 lbs	41.00
19. Meats pork in barrels	Net weight	Price
20. Fat back pork, CCC specifications.	Net shipped weight	\$12.75
A. In 200 lb. barrels:		
30-40 or 40-50 pieces per 200 lb. barrel	204 lbs	30.00
50-60 or 60-70 pieces per 200 lb. barrel	204 lbs	29.00
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel	204 lbs	28.00
B. In 300 lb. tiers:		
30-40 or 40-50 pieces per 200 lb. barrel	306 lbs	44.00
50-60 or 60-70 pieces per 200 lb. barrel	306 lbs	42.50
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel	306 lbs	41.00

Required deduction per cwt.	Description of cut:
\$1.00	Hams
3.00	Shoulders and shoulder cuts
3.00	Pork loins
3.00	Bellies
3.00	Slab bacon
1.00	Fat backs

Note: If second-hand tiers are used, deduct \$2.25 per tier from the above prices.

(c) For all wholesale pork cuts delivered in a straight or mixed shipment containing 500 pounds or more of wholesale pork cuts, \$0.25 per cwt.

(d) For all dried, smoked, ready-to-eat, cooked, baked or barbecued wholesale pork cuts, except sliced bacon, which are designated as wrapped in Schedule I but which the seller does not individually wrap in parchment paper, cellophane or artificial casings or similar packages, \$0.50 per cwt.

(e) For semi-dry cured Grade A sliced bacon \$1.00 per cwt.

(f) For overseas hams and overseas bacon not packed in salt, \$0.25 per hundredweight.

[Paragraphs (e) and (g) deleted and former (f) and (h) redesignated as (e) and (f), respectively by Am. 30]

[Schedule II amended by Am. 1, 8 F.R. 544; Am. 2, 8 F.R. 2922; Am. 5, 8 F.R. 7671, Am. 15, 9 F.R. 1996; Am. 16, 9 F.R. 3083; Am. 21, 10 F.R. 2514; Am. 28, 10 F.R. 7849 and as otherwise noted]

**SCHEDULE III—PERMITTED ADDITIONS TO PRICES LISTED IN SCHEDULE I**

(a) For special cutting and trimming:

(1) Hams:	Per cwt. over standard
Short shank	.50
Shankless	.75
(2) Shoulders:	
Short shank	.50
Shankless	.75
(3) Picnics:	
Short shank	.50
Shankless	.75
Half skinned	.25
(4) Loins, bladeless	.50
(5) Bellies:	Per cwt. over dry salt trim
Clear, dry salt square cut trim	\$1.00
(6) Bacon bellies:	
Fancy trimmed, \$1.00 per cwt. over square-cut seedless trim price.	

Fancy trimmed with brisket off, \$2.00 per cwt. over square-cut seedless trim price (\$1.00 per cwt. over fancy trimmed price).

(b) For loins, shoulders, picnics, Boston butts, boneless butts, spareribs, feet, tails and neck bones derived from hogs killed in each of the following regions:

*Region 1:* New England; New Jersey; Delaware; Maryland; the District of Columbia; and those portions of New York and Pennsylvania lying east of the 77th meridian;

*Region 2:* Those portions of Pennsylvania and New York lying west of the 77th meridian;

*Region 3:* Virginia; West Virginia; Kentucky; Ohio; Indiana; Chicago, Illinois; and the lower peninsula of Michigan (that part of Michigan lying between Lake Michigan and Lake Huron);

and (1) which are delivered fresh to a buyer other than a licensed ship supplier who buys such cuts for resale to a ship operator, or other than a ship operator or a war procurement agency) whose place of business is located within such region: *Provided*, Such delivery is made on the same market day as, or on the first market day after that of the initial cutting of the carcass from which such cuts are derived:

Permitted addition per cwt.

Region 1	\$1.50
Region 2	1.00
Region 3	.50

or (2) which are delivered fresh or frozen to a licensed ship supplier whose place of business is located within the region and who buys such cuts for resale to ship operators, or which are delivered fresh or frozen to a ship operator or a war procurement agency of the United States Government:

Region:	Permitted addition per cwt.
Region 1	\$1.00
Region 2	.50

(c) For packing in shipping containers:

(1) One of the following additions may be added for domestic shipment. (Note: These additions not permitted where price in Schedule I includes shipping container.)

Type of container:	Addition per cwt.
(i) All returnable containers	\$0.25
(ii) 5-15 lb. container, including outside shipping container, if used. (Note: This addition applicable only on sales of pork tenderloins and tenderloin tips)	1.50
(iii) All other wood, metal or solid fiber boxes, or wire bound crates	.50
(iv) Corrugated boxes, all sizes	.25
(v) Barrels	.40
(vi) Sacks and/or cloth wrapping	.25

[Subparagraph (1) amended by Am. 30]

(2) For shipment to an agency of the United States Government, a licensed ship supplier or a ship operator:

Product	Type of container	Capacity of container	Addition
Fresh, frozen and cured meats:			
(i) Overseas hams	Nailed solid wood boxes CQD spec.	70 lbs. or less	\$2.25
(ii) Overseas bacon	Nailed solid wood boxes CQD spec.	70 lbs. or less	1.60
(iii) Cured Wiltshires	Nailed solid wood boxes CCC-CQD spec.	All sizes	1.40
(iv) Cured Wiltshires	Krinkled paper and stockinette bags or other approved wrapper.	All sizes	.40
(v)	Nailed solid wood boxes CCC-CQD spec.	60 lbs. or less	1.70
(vi)	61 to 125 lbs	1.30	
(vii)	125 to 250 lbs	1.15	
(viii)	All sizes	1.00	
(ix)	All sizes	.75	
(x)	All sizes	.60	
Canned meats:	Wirebound boxes	All sizes	.70
(xi)	Wirebound crates	All sizes	.50
(xii)	Nailed solid wood boxes	40 lbs. or less	1.70
(xiii)	More than 40 lbs., less than 70 lbs	1.45	
(xiv)	70 lbs. or more	1.20	
(xv)	40 lbs or less	1.10	
(xvi)	More than 40 lbs., less than 70 lbs	1.00	
	70 lbs. or more	.90	
	40 lbs. or less	.85	
	More than 40 lbs., less than 70 lbs	.75	
	70 lbs. or more	.65	
	40 lbs. or less	.70	
	Over 40 lbs. but under 70 lbs	.60	
	50 lbs. or less	.75	
	More than 50 lbs., less than 70 lbs	.65	
	70 lbs. or more	.50	
	All sizes	.50	

(d) For local delivery:

(1) Where the seller makes local delivery to the store door of a buyer who is not the operator of a lake vessel, and such delivery is not made by a peddler delivery as stated in subparagraphs (2) and (3) of this schedule III (d), he may add to the prices specified in Schedule I, the sum of \$0.25 per hundredweight if such delivery is completed within 25 miles of the point from which such local delivery begins, or the sum of \$0.50 per hundredweight if such delivery is completed over 25 miles from such point of beginning.

[Subparagraph (1) amended by Am. 30]

(2) Where a seller makes a peddler truck sale involving the delivery of not more than 100 pounds of wholesale pork cuts and not more than 250 pounds of meat in any one day to any buyer's store door, the seller may add one of the following:

[Above paragraph amended by Am. 30]

(1) \$2.50 per hundredweight to the prices for processed wholesale pork cuts listed in Schedule I if the sale is a peddler truck sale as defined in subdivision (1) of § 1364.32 (a)

(10) and the buyer's store is located in Zone 9 north of the Potomac River, as that zone is described in section 17 (a) of Maximum Price Regulation No. 336, "Retail Ceiling Prices of Pork Cuts and Certain Sausage Products"; or

(ii) \$2.00 per hundredweight to the prices for all wholesale pork cuts listed in Schedule I if the sale is a peddler truck sale as defined in subdivision (1) of § 1364.32 (a) (10) and is not made subject to subdivision (1) of this Schedule III (d) (2).

(iii) \$2.00 per hundredweight to the prices for all wholesale pork cuts listed in Schedule I if the seller is a wholesaler or an intermediate distributor, and the sale is a peddler truck sale as defined in subdivision (1) of § 1364.32 (a) (10).

(iv) \$1.50 per hundredweight to the prices for all wholesale pork cuts listed in Schedule I, if the sale is a peddler truck sale, as defined in subdivision (1) of § 1364.32 (a) (10), made by a seller other than a wholesaler or an intermediate distributor.

[Subparagraphs (ii) and (iii) amended and (iv) added by Am. 30]

(3) Where a seller makes a peddler truck sale involving the delivery of more than 100 pounds of pork or more than 250 pounds of meat in any one day to any buyer's store door, the seller may add one of the following:

[Above subparagraph amended by Am. 30]

(i) \$0.75 per hundredweight to the prices listed in Schedule I, if the sale is a peddler truck sale as defined in subdivision (i) of § 1364.32 (a) (10); or

(ii) \$0.75 per hundredweight only if the seller is a wholesaler and the sale is a peddler truck sale as defined in subdivision (ii) of § 1364.32 (a) (10).

(iii) \$0.50 per hundredweight only if the seller is an intermediate distributor and the sale is a peddler truck sale as defined in subdivision (ii) of § 1364.32 (a) (10).

(iv) \$0.25 per hundredweight if the buyer's store door is located less than 25 miles from the seller's place of business, or \$0.50 per hundredweight if the buyer's store door is located more than 25 miles from the seller's place of business, and if, in either event, the sale is a peddler truck sale as defined in subdivision (ii) of § 1364.32 (a) (10) made by a seller other than a wholesaler or an intermediate distributor.

[Subdivisions (ii) amended; and (iii) and (iv) added by Am. 30]

(e) One of the following amounts may be added to all wholesale pork cuts sold other than by peddler truck sale:

(1) To a purveyor of meals, other than a ship operator, by a slaughterer, and if such sale is not negotiated by a broker \$2.00

(2) To a purveyor of meals other than a ship operator by one other than a slaughterer, and if such sale is not negotiated by a broker 2.50

[Subparagraphs (1) and (2) amended by Am. 30]

(3) To one other than a purveyor of meals by a wholesaler: *Provided, however, That after May 29, 1945, no person shall charge the addition permitted by this Schedule III (e) (3) of § 1364.35 unless such person first shall have filed with the appropriate District Office of the Office of Price Administration a signed statement that the person is a wholesaler as defined in subdivisions (i) or (ii) of § 1364.32 (a) (18) and gives the address of his selling establishment. (The statement herein required must be filed on or after November 8, 1944, and the filing of such statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement, or any action or proceeding arising from such investigation. The statement required by this section may be combined with statements prepared pursuant to §§ 1364.454 (d) and 1364.469 (d) of Revised Maximum Price Regulation No. 169 and § 1364.170 (a) of Revised Maximum Price Regulation No. 239, for purposes of convenience)* \$0.75

(4) To one other than a purveyor of meals by an intermediate distributor	\$0.50
(5) To a ship operator by a licensed ship supplier other than a slaughterer or other than a "Group II ship chandler"	2.00
(6) To a ship operator by a licensed ship supplier who is a slaughterer	1.50
(7) To an operator of a lake vessel by a Great Lakes marine supplier	3.50
(8) To a ship operator by a "Group II ship chandler"	3.00

is further packaged in units of not more than 12 pounds, the total addition for all packaging of such units except shipping containers shall not exceed \$1.00 per cwt.

(iii) For completely enclosing sliced bacon in  $\frac{1}{2}$  lb., 1 lb., or  $1\frac{1}{2}$  lb. cellophane and/or parchment packages, \$0.75 per cwt. If bacon so completely enclosed is further packaged in units of not more than 12 pounds, the total addition for all packaging of such units, except shipping containers, shall not exceed \$1.00 per cwt.

[Subparagraph (6) added by Am. 30]

(g) *Special additions in lieu of transportation differentials.* Only on wholesale pork cuts purchased from War Shipping Administration stockpiles and delivered to a licensed ship supplier in conformity with the provisions of subparagraph (3) of § 1364.22 (e), such licensed ship supplier, upon resale to a ship operator, may charge in lieu of the appropriate transportation differential authorized in § 1364.22 (d) an amount not in excess of the transportation differential included in the invoiced price paid by the licensed ship supplier for such wholesale pork cuts at the point where shipment to him originated, plus the charges paid directly to the railroad for delivery of such shipment.

[Paragraph (g) added by Am. 30]

(h) [Revoked]

(i) [Revoked]

(j) [Revoked]

[Schedule III amended by Am. 1, 8 F.R. 544; Am. 2, 8 F.R. 2922; Am. 6, 8 F.R. 7826; Am. 8, 8 F.R. 10571; Am. 9, 8 F.R. 10732; Am. 11, 8 F.R. 13296; Am. 15, 9 F.R. 1996; Am. 16, 9 F.R. 3083; Am. 20, 10 F.R. 2095; Am. 21, 10 F.R. 2514; Am. 22, 10 F.R. 3362; Am. 24, 10 F.R. 5371; Am. 25, 10 F.R. 6244; Am. 26, 10 F.R. 6233; and Am. 27, 10 F.R. 6948]

#### Schedule IV—[Revoked]

[Schedule IV added by Am. 1, 8 F.R. 544; amended by Am. 5, 8 F.R. 7671; Am. 8, 8 F.R. 10571; Am. 20, 10 F.R. 2095; and Am. 22, 10 F.R. 3362; revoked by Am. 24, 10 F.R. 5371]

**§ 1364.36 Appendix B—Schedules IV, V and VI—Dressed hogs and slaughtering services.** No person shall sell hogs dressed otherwise than packer style or shipper style. The maximum price for each dressed hog sold shall be the base price for the type of hog, style of dress, weight range, and class of buyer, listed in Schedule IV of this § 1364.36 (Appendix B), plus the applicable permitted additions, if any, specified in Schedule V of this § 1364.36 (Appendix B). The maximum price for slaughtering services shall be determined in accordance with the provisions of Schedule VI of this § 1364.36 (Appendix B).

#### SCHEDULE IV—DRESSED HOG APPLICABLE BASE PRICES

(a) *Sales to certified dressed hog processors.* The applicable maximum base price for each hog sold to a certified dressed hog processor shall be determined by reference to the "Table of weight ranges and seasonal denominators" set forth in subparagraph (1) hereof, and calculated in accordance with the pricing instructions set forth in subparagraph (2) hereof.

(1) *Table of weight ranges and seasonal denominators.*

Weights of dressed hogs (by range)		Related live hog weight classifications, live weight (pounds)	Denominators by seasons				
Packer style (pounds)	Shipper style (pounds)		December, January, February, March, April, and May		June, July, August, September, October, and November		
			Packer style	Shipper style	Packer style	Shipper style	
<i>Butcher hogs</i>							
1. 73-89	81-99	120-140	1.53	1.45	1.54	1.46	
2. 90-107	100-119	140-160	1.46	1.38	1.47	1.39	
3. 108-123	120-136	160-180	1.43	1.35	1.44	1.36	
4. 124-138	137-153	180-200	1.41	1.33	1.42	1.34	
5. 139-154	154-171	200-220	1.40	1.32	1.41	1.33	
6. 155-169	172-188	220-240	1.39	1.31	1.40	1.32	
7. 170-192	189-213	240-270	1.385	1.305	1.395	1.315	
8. 193-213	214-235	270-300	1.38	1.30	1.39	1.31	
9. 214-239	236-265	300-330	1.375	1.295	1.385	1.305	
10. Over 239	Over 265	Over 330	1.37	1.29	1.38	1.30	
<i>Slaughter pigs</i>							
11. Under 73	Under 70	Under 120	1.61	1.53	1.62	1.54	
<i>Sows</i>							
12. 184-280	202-312	270-400	1.405	1.325	1.415	1.335	
13. 280 and over	312 and over	400 and over	1.40	1.32	1.41	1.33	

(2) *Pricing instructions.* Ascertain the weight range applicable to the dressed hog to be priced. (Weight range for packer style dressed hogs are in the first column of the table in Schedule IV (a) (1) of this § 1364.36, and weight ranges for shipper style dressed hogs are in the second column). Ascertain the related live hog weight classification of such dressed hog (on the same line in the table but in the third column). Multiply the current Chicago live hog price, for hogs of such related live hog weight classification, by the appropriate seasonal denominator (on the same line in the table, but in one of the last four columns).

*Example:* A butcher hog dressed shipper style and weighing 190 pounds falls in the 189-213 pound weight range and in the 240-270 pound related live hog classification. If it were slaughtered in New York City and shipped on May 31, 1945, the appropriate seasonal denominator would be 1.305. If we assume that the current Chicago live hog price which was reported three market days earlier was \$14.75 per cwt. and that the then current subsidy rate was \$1.70 per cwt., the applicable maximum base price for such dressed hog would be determined by subtracting \$1.40 (30 cents less than the \$1.70 assumed subsidy) from \$14.75 (the quoted Chicago price) thus obtaining \$13.35 per cwt. as the "current Chicago live hog price." This amount then is multiplied by the appropriate seasonal denominator—1.305 in this instance. The result obtained is \$17.42, which is the maximum base price.

[Example amended by Am. 26, 10 F.R. 6233]

(b) *Sales to person other than certified dressed hog processors.* The applicable maximum base price for each hog sold to a person other than a certified dressed hog processor shall be as specified in the schedule of prices set forth in subparagraph (1) hereof.

(1) *Table of base prices.*

PACKER STYLE		Price per cwt.
Weight range		
Pigs and butcher hogs:		
Under 73 lbs.		\$19.75
73 lbs. and over, but under 90 lbs.		18.75
90 lbs. and over, but under 108 lbs.		18.25
108 lbs. and over, but under 124 lbs.		18.00
124 lbs. and over, but under 155 lbs.		17.75
155 lbs. and over, but under 213 lbs.		17.50
Over 213 lbs.		17.25
Sows: All weights		17.50
Stags: All weights		15.50
Boars: All weights		12.00
Oily hogs (deduct \$1.50 per cwt. from above prices).		

SHIPPER STYLE

Pigs and butcher hogs:

Under 80 lbs.	\$18.75
80 lbs. and over, but under 100 lbs.	17.75
100 lbs. and over, but under 120 lbs.	17.25
120 lbs. and over, but under 137 lbs.	17.00
137 lbs. and over, but under 172 lbs.	16.75
172 lbs. and over, but under 235 lbs.	16.50
Over 235 lbs.	16.25
Sows: All weights	16.50
Stags: All weights	14.50
Boars: All weights	11.00
Oily hogs (deduct \$1.50 per cwt. from above prices).	

On sales to war procurement agencies, \$0.50 per hundredweight may be added to the above prices for dressed hogs.

SCHEDULE V—PERMITTED ADDITIONS TO PRICES DETERMINED UNDER SCHEDULE IV

(a) *Local delivery.* If the seller delivers dressed hogs by local delivery to a point more than 50 miles away from the shipping point, \$0.25 per hundredweight may be added.

*Example:* If in the example stated in Schedule IV (a) (2) such local delivery were made, 25 cents would be added to \$17.42, giving a price of \$17.67 per hundredweight.

[Example amended by Am. 26, 10 F.R. 6233]

(b) *Fresh kill addition.* If the dressed hog is derived from a hog killed in the region where the addition is applicable and delivered to a buyer whose place of business is located within such region on or before the second market day after killing, or if the dressed hog is sold to the Commodity Credit Corporation, the applicable one of the following additions may be added:

Permitted addition per cwt. (cents)

Region	
(1) New England, New Jersey, Delaware, Maryland, District of Columbia, and those portions of New York and Pennsylvania lying east of the 77th meridian	50
(2) Those portions of Pennsylvania and New York lying west of the 77th meridian	35
(3) Virginia; West Virginia; Kentucky; Ohio; Indiana; Chicago, Illinois; and the local peninsula of Michigan (that part of Michigan lying between Lake Michigan and Lake Huron)	15

*Example:* In the example stated in Schedule V (a), if the dressed hog is sold to a buyer whose place of business is located within the region described in paragraph (b) (1), 50

cents would be added to \$17.67 giving a price of \$18.17 per hundredweight.

[Example amended by Am. 26, 10 F.R. 6233]

(c) *Transportation.* Transportation charges may be added in accordance with the provisions of paragraphs (b), (c) and (d) of § 1364.22, substituting for the purposes of this Schedule V (c) the words "dressed hog" wherever the words "Wholesale pork cut" appear therein.

(d) *Wholesaler and peddler truck seller's selling addition.* For dressed hogs sold by a wholesaler as defined in § 1364.32 (a) (13) or a person making peddler truck sales as defined in subdivision (1) of § 1364.32 (a) (10), the seller may add \$0.75 per hundredweight.

(e) *Intermediate distributor's selling addition.* For dressed hogs sold by an intermediate distributor as defined in § 1364.32 (a) (16), the seller may add \$0.50 per hundredweight.

(f) *Additions paid by wholesalers, processors, or peddler truck sellers.* (1) If a wholesaler has paid a charge for local delivery under paragraph (a) of this Schedule V, he may, upon resale, add the amount of such charge: *Provided*, That the total of all local delivery charges shall not exceed \$0.50 per hundredweight.

(2) If a person other than a slaughterer has paid a charge under the fresh kill addition provisions of paragraph (b) of this Schedule V, he may, upon resale within the time limitations prescribed therein, add the amount of such charge: *Provided*, That such resale is made within the same region in which the hog was killed.

(g) *Wrapping and packaging.* To the prices for packer style dressed hogs sold to Commodity Credit Corporation determined in accordance with the provisions of Schedule IV (b) (1), the following addition for wrapping may be added:

Addition per cwt.

1. Krinkled paper with stockinette bags; osnaburg tubing; cotton sheeting bag; or two sheets of melamine krinkled paper and rope	\$0.50
2. Krinkled paper with osnaburg tubing, burlap tubing, or cotton sheeting bag	.75

(h) *Broker's fees.* The maximum prices for dressed hogs determined in accordance with the provisions of Schedule IV (a) of this § 1364.36 (Appendix B) shall include all charges for brokerage and no addition to such prices may be made for brokers' fees. If the seller pays no brokerage fees on shipments of carload lots, the maximum price shall be reduced by \$0.125 per hundredweight. If the seller pays brokerage on such shipments in an amount less than \$0.125 per hundredweight, the maximum price shall be reduced by the difference between the amount of brokerage actually paid by the seller and \$0.125 per hundredweight. No brokerage fees may be charged or paid on sales of dressed hogs where maximum prices are determined in accordance with the provisions of Schedule IV (b) of this § 1364.36 (Appendix B).

(i) For freezing, in the seller's plant and not in a commercial warehouse, dressed hogs sold by the seller to war procurement agencies or to licensed ship suppliers who are not slaughterers, packers, or packers' branch houses, \$0.10 per hundredweight may be added.

(j) For freezer shrinkage on all fresh or green dressed hogs sold frozen at frozen weights to war procurement agencies, \$0.25 per hundredweight may be added.

SCHEDULE VI—SLAUGHTERING SERVICES

(a) Any person who slaughters hogs as a service for the purchaser of such hogs shall remit to such purchaser an amount suffi-

client to make the cost of the dressed hogs to such purchaser equal to or less than the costs which would be incurred by the purchaser if he purchased the dressed hogs from the slaughterer at the maximum price therefor: *Provided*, That this requirement shall not apply in (i) cases where the purchaser does not acquire the carcasses for resale in any form; or (ii) cases where the live hog slaughtered was purchased at a fair, show or exhibition, from a member of a recognized farm youth organization, during a sale for which prior approval had been obtained from a state office of the Office of Price Administration by a county agent, county club agent, vocational agricultural instructor or the chief administrator of the state department of agriculture. To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the hogs slaughtered.

(b) [Deleted]

[Paragraph (b) added by Am. 26, 10 F.R. 6233 and deleted by Am. 30]  
[§ 1364.36 added by Am. 24, 10 F.R. 5371]

NOTE: The record-keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget according to the Federal Reports Act of 1942.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[Amendment No. 30 approved by J. B. Hutton, Acting Secretary of Agriculture on November 9, 1945]

[F. R. Doc. 45-21519; Filed, Nov. 29, 1945;  
11:40 a. m.]

#### PART 1382—HARDWOOD LUMBER

[MPR. 146,<sup>1</sup> Amdt. 22]

##### APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 146 is amended in the following respects:

1. In § 1382.8 (a) (4), subdivision (ii) is amended to read as follows:

(ii) Which resembles a "typical concentration yard" as defined in this subdivision more nearly than it resembles a "typical distribution yard" as defined in subparagraph 5 (ii) below of this section. A "typical concentration yard" is an establishment which is located in a hardwood lumber producing area; which concentrates either graded hardwood lumber or ungraded hardwood lumber or both; which keeps in stock principally Appalachian hardwood lumber; which purchases hardwood lumber principally in rough green condition from mills located in its vicinity; which receives its hardwood lumber principally by truck; which prepares graded hardwood lumber for commercial shipment; and which sells hardwood lumber principally for rail shipment.

2. In § 1382.8 (a) (5) subdivision (ii) is amended to read as follows:

(ii) Which resembles a "typical distribution yard" more nearly than it re-

sembles a "typical concentration yard" as defined in subparagraph (4) (ii) above of this section. A "typical distribution yard" is a wholesale or retail yard which is located in a lumber consuming area; which regularly maintains a varied stock of lumber from different regions; which obtains graded lumber principally from mills or from other yards; which receives its lumber principally by rail; which unloads, sorts, stores and redistributes graded hardwood lumber, which from the nature of its lumber inventory is in position to make prompt deliveries of many different items of lumber; and which sells chiefly for truck shipment.

3. § 1382.11(b), the price tables in subparagraphs (28), (29) and (30) together with the notes which follow subparagraph (30), and refer to those price tables are deleted.

4. § 1382.14, the heading of paragraph (b) and subparagraphs (1) and (2) of that paragraph are amended to read as follows:

(b) *Maximum prices for Appalachian hardwood lumber not specifically priced in this regulation.* (1) Appalachian hardwood lumber sold on special grades or specifications or with special services or other extras not specifically priced in this regulation is, nevertheless, subject to this regulation as a "specially priced item" or a "special item." A seller making a sale of hardwood lumber covered by this section, for which that seller does not have a maximum price duly approved by the Office of Price Administration, shall apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C. for approval of a requested price for that hardwood lumber. The application shall cover only one order or inquiry of hardwood lumber and a copy of that order or inquiry shall accompany the application. The seller must make his application for approval of a maximum price on a copy of Form 246.1, a facsimile of which is in subparagraph (3) below.

If the seller had sales in October 1941 of the special item and of the most comparable item specifically priced in this regulation, he shall show on his application the price differential which he maintained between these two items in that month. If the seller did not have sales of both of such items in October 1941 he shall show on the application the price differential between these two items which existed in the first month preceding October 1941 in which he had sales of both of these items. If the seller did not have any sales of these two items in October 1941 or in any month preceding October 1941, the seller shall show on the application the price differential which he would have maintained between these two items in October 1941 if he had made sales of these items in that month.

The seller shall report his requested price in his application, together with an explanation of how he has determined such price. The maximum price shall be a price which is in appropriate relationship to the most comparable standard item, determined from an examination of the data submitted by the seller and from such other data as may be available to the Office of Price Administration. A

maximum price duly approved by the Office of Price Administration for a seller for a special item shall apply to subsequent sales by that seller of the identical item of hardwood lumber unless the Office limits the applicability of the approved price in some manner.

If, within thirty (30) days of the receipt of the application by the Lumber Branch of the Office of Price Administration, that Office does not transmit by letter, telegram or in some other manner, a disapproval of the price requested by the seller on the application, that requested price may be deemed approved, but such approval shall be applicable only to the one specific order covered by the application and only to the quantity of the special item contained in that order on the date of the application.

(2) Prior to approval by the Office of Price Administration of the maximum price for a special item of hardwood lumber covered by this section the seller shall not make any collections on account of the sale price of the special item. However, the seller may proceed with delivery of the special item using the requested price as a tentative maximum price but all quotations, contracts, and invoices must notify the buyer that the price is subject to approval by the Office of Price Administration within the thirty (30) day period described above.

This amendment shall become effective December 4, 1945.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21522; Filed, Nov. 29, 1945;  
11:41 a. m.]

#### PART 1382—HARDWOOD LUMBER

[MPR 155,<sup>1</sup> Amdt. 18]

##### CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 155 is amended in the following respects:

1. In § 1382.58 (a) (6), subdivision (ii) is amended to read as follows:

(ii) Which resembles a "typical concentration yard" as defined in this subdivision more nearly than it resembles a "typical distribution yard" as defined in subparagraph (7) (ii) below of this section. A "typical concentration yard" is an establishment which is located in a hardwood lumber producing area; which concentrates either graded hardwood lumber or ungraded hardwood lumber or both; which keeps in stock principally Central hardwood lumber; which purchases hardwood lumber principally in rough green condition from mills located in its vicinity; which receives its hardwood lumber principally by truck; which prepares graded hard-

wood lumber for commercial shipment; and which sells hardwood lumber principally for rail shipment.

2. In § 1382.58 (a) (7), subdivision (ii), is amended to read as follows:

(ii) Which resembles a "typical distribution yard" more nearly than it resembles a "typical concentration yard" as defined in subparagraph (6) (ii) above of this section. A "typical distribution yard" is a wholesale or retail yard which is located in a lumber consuming area; which regularly maintains a varied stock of lumber from different regions; which obtains graded lumber principally from mills or from other yards; which receives its lumber principally by rail; which unloads, sorts, stores and redistributes graded hardwood lumber, which from the nature of its lumber inventory is in position to make prompt deliveries of many different items of lumber; and which sells chiefly for truck shipment.

3. In Section 1382.63, the heading of paragraph (b) and subparagraphs (1) and (2) of that paragraph are amended to read as follows:

(b) *Maximum prices for North Central Hardwood Lumber not specifically priced in this regulation.* (1) North Central Hardwood Lumber sold on special grades or specifications or with special services or other extras not specifically priced in this regulation is, nevertheless, subject to this regulation as a "specially priced item" or a "special item." A seller making a sale of hardwood lumber covered by this section, for which that seller does not have a maximum price duly approved by the Office of Price Administration, shall apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C. for approval of a requested price for that hardwood lumber. The application shall cover only one order or inquiry of hardwood lumber and a copy of that order or inquiry shall accompany the application. The seller must make his application for approval of a maximum price on a copy of Form 255:1, a facsimile of which is in subparagraph (3) below.

If the seller had sales in October 1941 of the special item and of the most comparable item specifically priced in this regulation, he shall show on his application the price differential which he maintained between these two items in that month. If the seller did not have sales of both of such items in October 1941 he shall show on the application the price differential between these two items which existed in the first month preceding October 1941 in which he had sales of both of these items. If the seller did not have any sales of these two items in October 1941 or in any month preceding October 1941, the seller shall show on the application the price differential which he would have maintained between these two items in October 1941 if he had made sales of these items in that month.

The seller shall report his requested price in his application, together with an

explanation of how he has determined such price. The maximum price shall be a price which is in appropriate relationship to the most comparable standard item, determined from an examination of the data submitted by the seller and from such other data as may be available to the Office of Price Administration. A maximum price duly approved by the Office of Price Administration for a seller for a special item shall apply to subsequent sales by that seller of the identical item of hardwood lumber unless the Office limits the applicability of the approved price in some manner.

If, within thirty (30) days of the receipt of the application by the Lumber Branch of the Office of Price Administration, that Office does not transmit by letter, telegram or in some other manner, a disapproval of the price requested by the seller on the application, that requested price may be deemed approved, but such approval shall be applicable only to the one specific order covered by the application and only to the quantity of the special item contained in that order on the date of the application.

(2) Prior to approval by the Office of Price Administration of the maximum price for a special item of hardwood lumber covered by this section the seller shall not make any collection on account of the sale price of the special item. However, the seller may proceed with delivery of the special item using the requested price as a tentative maximum price but all quotations, contracts, and invoices must notify the buyer that the price is subject to approval by the Office of Price Administration within the thirty (30) day period described above.

4. In § 1382.66 the heading of paragraph (b) and subparagraphs (1) and (2) of that paragraph are amended to read as follows:

(b) *Maximum prices for South Central Hardwood Lumber not specifically priced in this regulation.* (1) South Central Hardwood Lumber sold on special grades or specifications or with special services or other extras not specifically priced in this regulation is, nevertheless, subject to this regulation as a "specially priced item" or a "special item." A seller making a sale of hardwood lumber covered by this section, for which that seller does not have a maximum price duly approved by the Office of Price Administration, shall apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., for approval of a requested price for that hardwood lumber. The application shall cover only one order or inquiry of hardwood lumber and a copy of that order or inquiry shall accompany the application. The seller must make his application for approval of a maximum price on a copy of Form 255:2, a facsimile of which is in subparagraph (3) below.

If the seller had sales in October 1941 of the special item and of the most comparable item specifically priced in this regulation, he shall show on his application the price differential which he maintained between these two items in that month. If the seller did not have sales of both of such items in October 1941 he shall show on the application the price differential which he would have maintained between these two items in October 1941 if he had made sales of these items in that month.

the price differential between these two items which existed in the first month preceding October 1941 in which he had sales of both of these items. If the seller did not have any sales of these two items in October 1941 or in any month preceding October 1941, the seller shall show on the application the price differential which he would have maintained between these two items in October 1941 if he had made sales of these items in that month.

The seller shall report his requested price in his application together with an explanation of how he has determined such price. The maximum price shall be a price which is in appropriate relationship to the most comparable standard item, determined from an examination of the data submitted by the seller and from such other data as may be available to the Office of Price Administration. A maximum price duly approved by the Office of Price Administration, for a seller for a special item shall apply to subsequent sales by that seller of the identical item of hardwood lumber unless the Office limits the applicability of the approved price in some manner.

If, within thirty (30) days of the receipt of the application by the Lumber Branch of the Office of Price Administration, that Office does not transmit by letter, telegram or in some other manner, a disapproval of the price requested by the seller on the application, that requested price may be deemed approved, but such approval shall be applicable only to the one specific order covered by the application and only to the quantity of the special item contained in that order on the date of the application.

(2) Prior to approval by the Office of Price Administration of the maximum price for a special item of hardwood lumber covered by this section, the seller shall not make any collections on account of the sale price of the special item. However, the seller may proceed with delivery of the special item, using the requested price as a tentative maximum price but all quotations, contracts and invoices must notify the buyer that the price is subject to approval by the Office of Price Administration within the thirty (30) day period described above.

This amendment shall become effective December 4, 1945.

NOTE: All reporting and record keeping requirements of the amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21518; Filed, Nov. 29, 1945;  
11:40 a. m.]

PART 1389—APPAREL

[2d Rev. MPR 578, Amdt. 3]

MAXIMUM PRICES FOR CERTAIN ESSENTIAL  
LOW PRICED GARMENTS

A statement of the considerations involved in the issuance of this amend-

## FEDERAL REGISTER, Friday, November 30, 1945

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.<sup>1</sup>

Second Revised Maximum Price Regulation No. 578 is amended in the following respects:

1. Section 1 (b) (3) is amended by the addition of the following sentence:

Where one or more manufacturing units and selling units are under common ownership, sales made by a manufacturing unit to a selling unit will be treated as manufacturers' sales under this regulation unless an order has been issued under section 15 of this regulation permitting sales by the selling unit to be treated as manufacturers' sales for purposes of this regulation.

2. A new section 15 is added to read as follows:

SEC. 15. *Applications for permission to treat sales by selling outlets as manufacturer's sales.* Where one or more manufacturing units and one or more selling units are under common ownership, application may be made on behalf of the manufacturing and selling units to the Apparel Price Branch, Office of Price Administration, Washington, D. C., for an order under this section permitting sales by the selling units to be treated as manufacturer's sales under this regulation. Such an order will be issued only where it appears:

(a) That the manufacturing units sell exclusively to the selling units;

(b) That the selling units sell no garments covered by 2d Revised Maximum Price Regulation No. 578 other than garments manufactured in the manufacturing units; and

(c) That the arrangement was in existence prior to March 1942 and continuously since that time.

Orders issued under this section may impose any condition or limitation on the permission granted so as to assure that the prices charged by the selling units and used as the base for determining wholesale and retail prices under this regulation are comparable to manufacturers' prices established under the regulations listed in section 2 (b), and that the effect of any other regulation affecting any part of the operation is not altered.

This amendment shall become effective on November 28, 1945.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21493; Filed, Nov. 28, 1945;  
4:43 p. m.]

<sup>1</sup> Copies may be obtained from the Secretary's Office, Office of Price Administration, Washington, D. C.

PART 1400—TEXTILE FABRICS: WOOL, COTTON, SILK, SYNTHETIC AND ADMIXTURES

[MPR 127,<sup>1</sup> Amdt. 38]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 127 is amended in the following respects:

1. Section 1400.82 (a) (2) is amended to read as follows:

(2) *Method for finished piece goods which are not white, bleached, dyed, printed or yarn-dyed.* The maximum net selling price f. o. b. point of shipment for finished piece goods which are not white, bleached, dyed, printed or yarn-dyed shall be the sum of the five items set forth in subparagraph (1) above, without any markup thereon: *Provided*, That the following shall be excepted from the provisions of this subparagraph (2):

(i) Cotton finished piece goods sold to shoe manufacturers for use as shoe linings.

2. Section 1400.82 (a) (1) is amended to read as follows:

(1) The percentage of the total business of any producer during any calendar quarter which is represented by dollar sales of finished piece goods sold at a converter's markup to persons other than cutters, manufacturers, retailers, or war procurement agencies shall be no greater in relation to his total business than the average percentage of such dollar sales during the years 1939, 1940 and 1941, and the maximum price for any finished piece goods sold in excess of this percentage shall be the sum of the five items set forth in § 1400.82 (a) (1) above without any markup thereon: *Provided*, That without regard to the foregoing a producer may

(i) Honor a preference rating for goods to be exported; and

(ii) Sell finished piece goods to any wholesaler, wholesaling-jobber, jobber or converter-jobber who has certified in writing to such producer that during the period between July 1, 1943 and December 31, 1943, 65% or more of all of his sales of finished piece goods were made to retailers.

This amendment shall become effective November 30, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21492; Filed, Nov. 28, 1945;  
4:43 p. m.]

<sup>1</sup> 9 F.R. 2464, 3031, 4029, 4879, 10088, 12020, 12636, 13067, 14014; 10 F.R. 412, 2014, 3093, 4816, 6308, 8857, 8979, 11148, 11896, 12260.

Chapter XXIII—Surplus Property Administration

[SPA Reg. 1,<sup>1</sup> Order 8]

PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

FORMS FOR REPORTING ACQUISITION, DISPOSAL, AND INVENTORY OF SURPLUS PERSONAL PROPERTY<sup>2</sup>

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611) and Public Law 181, 79th Congress, 1st Sess., *It is hereby ordered*, That:

1. Disposal agencies shall file reports relating to receipt of declarations of surplus, inventory and dispositions of surplus personal property located in the continental United States on Forms SPA-30, 30.1, 31, 32, 33, 34, 35<sup>3</sup>, 36, 37, 38, and 39 in accordance with the instructions accompanying these forms. These forms shall supersede Forms SWPA-6, 7, 8, 9, 10 insofar as these forms are used for reporting surplus personal property activities in the continental United States and Form SPB-21.

2. Disposal agencies may reproduce Forms SPA-30 through 39 provided that the forms are identical with those on file with the Division of the Federal Register, sample copies of which may be obtained from the Surplus Property Administrator.

3. Forms SPA-30 through 39 may carry the information required thereon or they may be used as a cover transmittal sheet for mechanical accounting lists. If a machine tabulated form is used, the columnar arrangement shall conform with Forms SPA-30 through 39, and the forms shall be 11" x 14 $\frac{1}{2}$ " in size.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective December 1, 1945.

W. STUART SYMINGTON,  
Administrator.

NOVEMBER 27, 1945.

[F. R. Doc. 45-21510; Filed, Nov. 29, 1945;  
11:31 a. m.]

[SPA Reg. 16, Amdt. 1]

PART 8316—SURPLUS AIRPORT PROPERTY

Surplus Property Administration Regulation 16, November 16, 1945, entitled "Surplus Airport Property" (10 F.R. 14204), is hereby amended by adding at the end thereof the following Exhibit A:

EXHIBIT A

Government agencies to be given notice of impending disposal by mail:

Department of State.

Department of the Treasury.

Department of War.

<sup>1</sup> 10 F.R. 14064.

<sup>2</sup> Filed as part of the original document.

Department of Justice.  
Post Office Department.  
Department of the Navy.  
Department of the Interior.  
Department of Agriculture.  
Department of Commerce.  
U. S. Maritime Commission.  
Office of Scientific Research and Development.

The mail address of these agencies is Washington 25, D. C.

This amendment shall become effective November 27, 1945.

W. STUART SYMINGTON,  
Administrator.

NOVEMBER 27, 1945.

[F. R. Doc. 45-21509; Filed, Nov. 29, 1945;  
11:30 a. m.]

### Notices

#### DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

GARDEN CITY SALE CO.

##### NOTICE OF POSTED STOCKYARD

It has been ascertained that the Western Livestock Commission Company, Garden City, Kansas, posted on October 4, 1939, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, is now owned and operated by C. C. Ware and C. W. Springer, partners doing business as Garden City Sale Company, and that the name of the yard is now the Garden City Sale Company. Therefore, the posted name of the stockyard is changed to Garden City Sale Company and notice of such fact is given to its owners, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Done at Washington, D. C., this 28th day of November 1945.

[SEAL] CHARLES F. BRANNAN,  
Assistant Secretary of Agriculture.

[F. R. Doc. 45-21504; Filed, Nov. 29, 1945;  
11:12 a. m.]

#### DEPARTMENT OF LABOR.

Wage and Hour Division.

C. E. HOOPER INC.

##### NOTICE OF GRANTING OF EXCEPTION FROM CERTAIN RECORD KEEPING REQUIREMENTS

Pursuant to section 11 (c) of the Fair Labor Standards Act of 1938 and § 516.18 of the record keeping regulations, Part 516, as amended, notice is hereby given of the granting of an exception to C. E. Hooper Inc., New York, New York from the requirements of keeping records as provided in § 516.11 of the aforesaid regulations, including the requirement of keeping homework handbooks, for their employees who are engaged in their homes in interviewing persons by telephone: *Provided*, That the company maintains, with respect to such em-

ployees, the records required under § 516.2 of the aforesaid regulations and in addition maintains a record of the number of hours worked each day on each type of work by each such employee: *And provided further*, That the company furnishes to each such employee, and instructs him to preserve for not less than two years, the following records: (1) A record of the number of hours worked each day during the workweek on each type of work; (2) the date of the workweek; (3) the total earnings of the employee each pay period; (4) the deductions and additions, if any, from the pay; and (5) the net amount paid the employee, the date of payment and the pay period covered by such payment.

This exception shall not apply with respect to any employee under 16 years of age.

This exception is granted on the representations of the petition and is subject to revocation for cause.

Signed at New York, New York, this 26th day of November 1945.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 45-21488; Filed, Nov. 28, 1945;  
4:27 p. m.]

##### LEARNER EMPLOYMENT CERTIFICATES

###### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Alabama Textile Products Corporation, Laurel Hill, Florida; dress shirts, collars and sleeping wear, men's dress shirts; ten (10) employees (T); effective December 2, 1945, expiring December 1, 1946.

Artcraft Shirt Company, Inc., Lewistown, Pennsylvania; dress shirts, collars, sleeping wear, shirts; ten percent (T); effective November 17, 1945, expiring November 16, 1946.

Kieler Garment Company, Inc., 179-185 Delaware Avenue, Palmerton, Pennsylvania; house dresses; ten (10) employees (T); effective November 21, 1945, expiring November 20, 1946.

The Shirtcraft Company, Inc., 633 McKinley Street, Hazleton, Pennsylvania; shirts, pajamas and sportswear; ten percent (T); effective December 1, 1945, expiring November 30, 1946.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Continental Hosiery Company, Henderson, North Carolina; seamless hosiery; 20 learners (AT); effective November 30, 1945, expiring May 29, 1946.

Hollar Hosiery Mills, Inc., 11th Avenue and 12th Street, Hickory, North Carolina; seamless hosiery; five (5) learners (T); effective November 30, 1945, expiring November 29, 1946.

C. D. Jessup & Company, Claremont, North Carolina; seamless hosiery; five (5) learners (T); effective December 4, 1945, expiring December 3, 1946.

Morristown Knitting Mills, Inc., Morristown, Tennessee; seamless hosiery; five percent (T); effective November 17, 1945, expiring November 16, 1946.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the *FEDERAL REGISTER* pursuant to the provisions of Regulations, Part 522.

Signed at New York, New York, this 21st day of November 1945.

PAULINE C. GILBERT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 45-21489; Filed, Nov. 28, 1945;  
4:27 p. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket 2077]

##### DANISH AIR LINES (D. D. L.)

###### NOTICE OF HEARING

In the matter of the application of Danish Air Lines (D. D. L.) for a foreign air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that the above-entitled matter is assigned to be heard on December 6, 1945, at 10 a. m. (eastern standard time) in Room 3899, Department of Commerce Building, Washington, D. C., before Examiner F. A. Law, Jr.

Dated at Washington, D. C., November 28, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 45-21506; Filed, Nov. 29, 1945;  
11:18 a. m.]

## CIVILIAN PRODUCTION ADMINISTRATION.

[C-221, Revocation]

BOOKS, INC. AND LITERARY CLASSICS, INC.  
CONSENT ORDER

Pursuant to an agreement between Literary Classics, Inc., Books, Inc., the Regional Compliance Manager and the Regional Attorney, Consent Order No. C-221 was issued November 21, 1944, in consequence of a violation of Limitation Order L-245.

The parties to the agreement, having now agreed that such order should be revoked and in view of the revocation of Limitation Order L-245, *It is hereby ordered*, That: Consent Order No. C-221 be revoked.

Issued this 29th day of November 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-21502; Filed, Nov. 29, 1945;  
11:12 a. m.]

## FEDERAL POWER COMMISSION.

[Docket No. G-548]

GODFREY L. CABOT, INC.  
NOTICE OF APPLICATION

NOVEMBER 27, 1945.

Notice is hereby given that on May 29, 1944, Godfrey L. Cabot, Inc. (Applicant), a corporation organized under the laws of the Commonwealth of Massachusetts with its principal place of business at 77 Franklin Street, Boston, Massachusetts, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended.

Applicant requests authorization to construct and operate the following facilities:

(1) Approximately 1 mile of 6-inch pipeline extending from a point in Wood County, West Virginia, to a point of connection with the pipeline of the Gas Transport, Inc. in Wood County, West Virginia, together with meters, regulators and other appurtenant facilities;

(2) Three 4-inch pipelines located in Wood County, West Virginia, approximately 3 miles in length connecting 3 wells now being drilled in Wood County, with the pipeline of Gas Transport, Inc., together with meters, regulators and other appurtenant facilities.

Applicant requests authorization to transport and sell, by means of the above facilities, natural gas to Anchor Hocking Glass Corporation.

Applicant requests in the alternative that the Federal Power Commission disclaim jurisdiction over the above construction, operation, transportation and sale, under the Natural Gas Act, as amended.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 12th day of December, 1945, file with the Federal Power Commission, Washington 25,

D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,  
Secretary.  
[F. R. Doc. 45-21499; Filed, Nov. 29, 1945;  
9:55 a. m.]

[Docket No. G-647]  
MOUNTAIN FUEL SUPPLY CO.

## NOTICE OF APPLICATION

NOVEMBER 27, 1945.

Notice is hereby given that on June 29, 1945, Mountain Fuel Supply Company (Applicant), a corporation organized under the laws of the State of Utah, with its principal place of business at 36 South State Street, Salt Lake City, Utah, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authorization to construct and operate the following:

- (1) Facilities to dehydrate and cool 15,000 Mcf of natural gas per day;
- (2) Two 50 kw. gas engine driven electric generating units;
- (3) One 300 hp. gas engine driven gas compressor unit and accessories.

Applicant states that such facilities are to be located in T. 11 and 12 N., R. 97 W., 6th P. M. at the Powder Wash gas and oil field in northwestern Colorado, and that they are required for service to communities now served.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 12th day of December 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,  
Secretary.  
[F. R. Doc. 45-21500; Filed, Nov. 29, 1945;  
9:55 a. m.]

[Docket No. G-650]

EL PASO NATURAL GAS CO.  
NOTICE OF SUPPLEMENTAL APPLICATION

NOVEMBER 26, 1945.

Notice is hereby given that on November 19, 1945, El Paso Natural Gas Company (Applicant), a corporation organized and existing under the laws of the State of Delaware with its principal place of business at Bassett Tower, El Paso, Texas, filed a supplemental application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following facilities for the purpose of delivery and sale of natural gas to the Farmers Gas Company at Eloy, Arizona, to wit:

One tap and a 500-B Positive Meter and Regulator, to be located on Applicant's 10% inch main pipe line between Tucson and Phoenix, Arizona, approximately one mile south of the Town of Eloy in Pinal County, Arizona.

Applicant states an additional 12,179 Mcf of natural-gas per year will be required by reason of the installation of the above facilities and that such gas will come from residue gas in the Permian Basin in Lea County, New Mexico, which is now being flared in the air.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 12th day of December, 1945, file with the Federal Power Commission, Washington 25, D. C. a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-21501; Filed, Nov. 29, 1945;  
9:55 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

## GREAT LAKES TOWING CO.

POSSESSION, CONTROL, AND OPERATION OF THE  
TRANSPORTATION SYSTEM, PLANTS, AND FA-  
CILITIES

To The Great Lakes Towing Company, Cleveland, Ohio:

1. You are hereby notified that, by order of the President of the United States (Executive Order 9661, *supra*), possession and control of your transportation system, including all real and personal property, plants, facilities, and other assets, wherever situated, used or useful in connection with the operation of such system, are hereby taken and assumed by the Director of the Office of Defense Transportation as of 12:00 o'clock noon, on the 29th day of November 1945. Possession and control is not taken of any of your property, plants, facilities, or other assets, which are not used or useful in the operation of your transportation system.

2. The purpose of possession, control, and operation of your transportation system and properties by the United States pursuant to said Executive order is to assure the maintenance of an effective system of transportation for military and civilian freight traffic movements.

3. Effective this date, Laurence C. Turner is hereby appointed Federal Manager of the transportation system and properties taken hereunder, with full authority, subject to my direction:

(a) To possess, control, and operate, or arrange for the operation of the system and properties taken hereunder in such manner as may be necessary to carry out the provisions, and to accomplish the purposes of the Executive order, through or with the aid of such public or private agencies, persons, or corporations as he may designate;

(b) Subject to the provisions of the Executive order, to manage or operate or arrange for the management or operation of said system and properties under such terms and conditions of employment as he deems advisable and proper;

(c) From time to time, to return to you such real or personal property, or other assets, as he determines to be unneces-

sary to the operation of your transportation system; and

(d) To request the Secretary of the Navy or such persons as he may designate, to furnish protection for persons employed or seeking employment with the transportation system of which possession is taken hereunder and the properties of such system, and to furnish equipment, manpower, and other facilities or services necessary to carry out the provisions, and to accomplish the purposes of the Executive order of the President.

4. Copies of this notice and order shall be posted by you in your principal place of business, and in each office, terminal, and vessel maintained in connection with the operation of your transportation system.

Issued at Washington, D. C., this 29th day of November 1945.

J. M. JOHNSON,  
Director.

[F. R. Doc. 45-21505; Filed, Nov. 29, 1945;  
11:06 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Order 90 Under 3 (e)]

S. C. JOHNSON AND SON, INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum prices for sales in 5 lb. packages of "Johnson's Paste Wax," a polish for floors and furniture, manufactured by S. C. Johnson and Son, Inc., 1525 Howe St., Racine, Wisconsin, are established as follows:

For sales by the manufacturer:	Each
To wholesalers	\$1.45
To retailers	1.50
For sales by wholesaler	1.70
For sales by retailer	2.25

The above prices are subject to the same discounts, allowances, and trade practices as prevailed on each seller's sales of said product in the 8 lb. size.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesaler or retailer, the manufacturer shall furnish such wholesaler or retailer with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of such commodity, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum retail price, \$2.25.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21441; Filed, Nov. 28, 1945;  
11:44 a. m.]

[SR 15, Amdt. 1 to Order 53]

HUBLER SHOES, INC.

#### APPROVAL OF MAXIMUM PRICES

Amendment 1 to Order No. 53 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. Hubler Shoes, Inc. Docket No. 6064-SR 15.75 (a) (10)-51.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation; *It is ordered:*

Order No. 53 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation is amended in the following respect:

1. The item designated as Style No. 15 in paragraph (a) is amended to read as follows:

Style No.	Description	Adjusted maximum price per pair (net)	
		Sales to wholesalers	Sales to chain store retailers
15	Misses' elk moccasin	\$1.71	\$1.73

This amendment shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21441; Filed, Nov. 28, 1945;  
11:44 a. m.]

[SO 119, Order 21]

LACKNER CO.

#### ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 13 and 14 of Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* The Lackner Company, Cincinnati, Ohio, may increase by no more than 5.1 percent, its ceiling prices to each class of purchaser, for electrical household clocks of its manufacture.

(b) *Ceiling prices of purchasers for resale.* The manufacturer is required to calculate wholesalers' and retailers' ceiling prices for the electrical household clocks which he sells at adjusted prices permitted by this order, according to the provisions of this paragraph.

(1) *Retailers' ceiling prices.* The retail ceiling price, exclusive of the Federal excise tax, is the manufacturer's price for the article to the wholesaler to which the manufacturer sells in the largest volume, plus 108% of such price rounded to the nearest 5¢.

(2) *Wholesalers' ceiling prices.* The wholesale ceiling price is the retail ceiling price of the article, exclusive of Federal excise tax, as established by this order, less 40%.

(3) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. The tag or label shall contain the following statement:

OPA Ceiling Price—\$\_\_\_\_\_ (Exclusive of Federal Excise Tax)  
Do Not Detach

(4) *Revision of resellers' ceiling prices.* Resellers' ceiling prices permitted by this order are subject to revision at any time in accordance with any industry-wide action which may be taken by the Office of Price Administration which requires resellers to absorb any increase in prices permitted reconversion manufacturers.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or established under any applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of the adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21468; Filed, Nov. 28, 1945;  
11:47 a. m.]

[SO 133, Order 10]

DURABLE SHOE CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133; it is ordered:

(a) *Maximum prices for sales of footwear by The Durable Shoe Company.* The maximum prices at which The Durable Shoe Company, Palmyra, Pennsylvania, may sell and deliver the footwear specified below shall be as follows:

Description	Size range	Adjusted maximum price (per pair)
Blucher lace boots	2-6	\$1.045
Blucher lace boots	6½-9	1.16
Blucher oxford	6½-9	1.135

The adjusted maximum prices listed above are the highest prices at which The Durable Shoe Company may sell and deliver the specified style of shoes to its least favored class of purchasers. Such maximum prices are subject to the provisions of § 1499.2 of the General Maximum Price Regulation with respect to customary price differentials, terms,

discounts, and allowances, on sales to each class of purchaser.

(b) *Maximum prices for sales at wholesale.* The maximum price for a sale at wholesale of any shoe listed in paragraph (a), above, shall be the wholesaler's maximum price previously established under the General Maximum Price Regulation increased by 5.8 per cent. A wholesaler who has not previously established a maximum price under the General Maximum Price Regulation may increase his maximum price otherwise determined under § 1499.2 of the General Maximum Price Regulation by an amount equal to 5.8 per cent of that price.

(c) *Maximum prices for retail sales subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail under the General Maximum Price Regulation of any shoe listed in paragraph (a), above, shall be the retailer's maximum price previously established under the General Maximum Price Regulation increased by 5.8 per cent. A retailer who has not previously established a maximum price therefor under the General Maximum Price Regulation may increase his maximum price otherwise determined under § 1499.2 of the General Maximum Price Regulation by an amount equal to 5.8 per cent of that price.

(d) *Notification.* At the time of (or prior to) the first delivery of each shoe listed in paragraph (a), above, to a purchaser for resale on and after the effective date of this order at a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the applicable method established by paragraph (b) or (c), above, for determining maximum prices for resale of the footwear. This notice may be given in any convenient form.

(e) *Statement to be submitted to the Office of Price Administration.* The manufacturer shall file a report with the Office of Price Administration, Washington 25, D. C., as required by Section 5 of Supplementary Order No. 133.

(f) All requests not specifically granted by this order are hereby denied.

(g) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21469; Filed, Nov. 28, 1945;  
11:47 a. m.]

[IRPS 40, Order 29]

PIONEER HARDWARE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1346.1 (b) (3) of Revised Price Schedule No. 40; *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person of the following brass door stop manufac-

tured by the Pioneer Hardware Company and as described in the application dated October 17, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to jobbers	On sales to retailers			
Pioneer all-purpose brass junior door stop.	Dozen \$4.05	Dozen \$5.40			

(b) The maximum price for sales by any person of the Pioneer All-Purpose Brass Junior Door Stop manufactured by the Pioneer Hardware Company shall be:

On sales to consumers: 65 cents each.

(c) The maximum net price established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which the manufacturer and jobber extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during the period October 1-15, 1941. Retailers shall extend the same price differential extended or which would have been extended during March 1942 on comparable sales of similar commodities.

(d) Each seller covered by this order, except a retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except retailers, upon resale.

(e) The Pioneer Hardware Company shall print on the box containing the door stop or attach a tag to such door stop, indicating the following:

OPA maximum retail price—65 cents.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21442; Filed, Nov. 28, 1945;  
11:52 a. m.]

[MPR 64, Corr. to Order 200]

PHILLIPS PETROLEUM CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64, it is ordered:

(a) That Order 200 under Maximum Price Regulation No. 64 is corrected in the following respects:

(1) The table of prices in paragraph (a) (2) is corrected to read as follows:

Article	Mod- el No.	Maximum price to ultimate consumers			
		Each	Each	Each	Each
Gas "bungalow" range	1145	\$164.25	\$168.50	\$173.25	\$179.00
	1156	170.75	175.50	181.25	187.95
Gas range	1146	63.95	96.50	99.50	102.95
	1146	122.25	125.50	129.25	133.50
	1245	100.50	103.25	106.25	109.25
Gas "bungalow" range	1145	127.50	131.75	136.75	141.50
	1146	136.25	140.50	145.25	149.95

(2) The list of states in zone 2 in paragraph (d) (2) is corrected by adding to it the state of Virginia.

This correction shall become effective immediately.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21443; Filed, Nov. 28, 1945;  
11:52 a. m.]

[RMPR 136, Order 547]

ANDALE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 547 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Andale Company. Docket No. 6083-136.21-547.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales of Strainers, Type 105, and Oil Coolers, Single Letter, Type 202 by the Andale Company, 1740 Cherry Street, Philadelphia, Pennsylvania shall be determined as follows:

The manufacturer shall multiply by the percentages set forth below the maximum prices he had in effect to a purchaser of the same class just prior to the issuance of this order.

Item  
Strainers, type 105.....  
Oil coolers, single letter, type 202.....

Percent  
114.9  
100.3

(b) The maximum prices for sales of these products by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) Andale Company shall notify each person who buys these products for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21444; Filed, Nov. 28, 1945;  
11:46 a. m.]

[RMPR 136, Order 549]

MODERN BOND CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 548 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Modern Bond Corporation. Docket No. 6083-136.21-647.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) Orders No. 68, under Revised Maximum Price Regulation 136, issued Mar. 6, 1945 by the New York Regional Office and No. 481, under Revised Maximum Price Regulation 136, issued Aug. 4, 1945 are hereby revoked.

(b) The maximum prices for sales by Modern Bond Corporation, Wilmington, Delaware of its bottling machinery and parts shall be determined as follows: The manufacturer shall multiply the maximum prices he had in effect on Oct. 1, 1941 by 125%, and shall deduct from the resultant list prices all discounts, allowances and other deductions that he had to a purchaser of the same class on Oct. 1, 1941.

(c) The maximum prices for sales by resellers of bottling machinery and parts shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars and cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(d) Modern Bond Corporation shall notify each person who buys bottling machinery and parts for resale of the dollar and cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21445; Filed, Nov. 28, 1945;  
11:51 a. m.]

[RMPR 136, Order 549]

ELGIN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 549 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Elgin Manufacturing Company. Docket No. 6083-136.21-627.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales by the Elgin Manufacturing Company, Elgin, Illinois, of filling and capping machines and repair and replacement parts shall be as follows: The manufacturer shall multiply the current maximum list prices by 120% and shall deduct from the resultant list prices all discounts, allowances and other deductions that it had in effect to a purchaser of the same class just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of filling and capping machines, and repair and replacement parts manufactured by the Elgin Manufacturing Company, shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the same percentage increase granted to his supplier, the Elgin Manufacturing Company.

(c) The Elgin Manufacturing Company shall notify each purchaser who purchases filling and capping machines, and repair and replacement parts for resale of the percentage increase which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21446; Filed, Nov. 28, 1945;  
11:50 a. m.]

[MPR 188, Order 4714]

A. FRITZ & CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by A. Fritz and Company, 92 Greene Street, New York 12, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Step stool, metal frame, wood steps and top	60	Each \$2.05	Each \$2.46	Each \$2.75	Each \$4.10

These maximum prices are for the articles described in the manufacturer's application dated July 11, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$4.10  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing, of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of November 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21447; Filed, Nov. 28, 1945;  
11:52 a. m.]

## FEDERAL REGISTER, Friday, November 30, 1945

[MPR 188, Order 4715]

## NEON DISPLAYS

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Neon Displays, 972 Broad Street, Newark 2, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Manufacturer distributor	Any seller to—		
		Jobber	Retailer	Consumer
Electric display clock, 21" x 21", 17 inch dial, 7" depth, steel construction, baked enamel:				
Model A—2 neon tubes, inner green; outer hexagonal tube, red; separate switch.	\$30	\$36	\$45	\$69
Model B—without neon tubes or attachments but with brackets and openings.	15	19	25	35

These maximum prices are for the articles described in the manufacturer's application dated November 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales by the manufacturer they are f. o. b. Newark, New Jersey, and are subject to terms of 2% / 10 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number \_\_\_\_\_  
OPA Retail Ceiling Price—\$ \_\_\_\_\_  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the

manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of November 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21448; Filed, Nov. 28, 1945;  
11:46 a. m.]

[MPR 188, Order 4716]

## SPARGO WIRE Co.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Spargo Wire Company, Rome, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices of sales by any seller to—			
		Wholesalers (Jobbers)	Chain and department stores	Other retailers	Consumers
Pot scourer	Large.....	Gross \$18.00 7.20	Gross \$21.60 8.64	Gross \$24.00 9.60	Each \$0.25 .10
	Small.....				

These maximum prices are for the articles described in the manufacturer's application dated September 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been

authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct price and model number filled in:

Model No. \_\_\_\_\_  
OPA Retail Ceiling Price—\$ \_\_\_\_\_  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of November, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21449; Filed, Nov. 28, 1945;  
11:50 a. m.]

[MPR 188, Order 4717]

## CONTROLA MANUFACTURING CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Controla Manufacturing Company, 1219 West Van Buren Street, Chicago 7, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Distributors	Wholesalers (Jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Two-burner electric hot plate, two switches three-heat each burner cord and plug; chrome plated.....	200	Ea. \$6.73	Ea. \$7.40	Ea. \$8.75	Ea. \$9.42	Ea. \$14.15

These maximum prices are for the articles described in the manufacturer's application dated November 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash

discount of 2% for payment within 10 days, net payment in 30 days. These prices include the Federal excise tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4717  
Model No. \_\_\_\_\_  
OPA Retail Ceiling Price—\$ \_\_\_\_\_  
Federal Excise Tax Included  
Do Not Detach or Obliterate

or

Controla Mfg. Co.  
1219 W. Van Buren St.  
Chicago 7, Ill.  
Model No. \_\_\_\_\_  
OPA Retail Ceiling Price—\$ \_\_\_\_\_  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th of November 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21450; Filed, Nov. 28, 1945;  
11:50 a. m.]

[MPR 188, Order 4718]

WILSON SPECIALTIES INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sale and deliveries of certain articles manufactured by Wilson Special-

ties Incorporated, 737 West Van Buren Street, Chicago 7, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (Jobbers)	Chain and department stores	Other retailers	Consumers
Parer and corer	304	Dozen \$0.60	Dozen \$0.72	Dozen \$0.80	Each \$0.10

These maximum prices are for the articles described in the manufacturer's application dated October 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. 304  
OPA Retail Ceiling Price—\$0.10 each  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of November, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21451; Filed, Nov. 28, 1945;  
11:51 a. m.]

[MPR 188, Order 4719]

A. & H. ELECTRICAL EQUIPMENT AND APPLIANCE CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159c of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the A. & H. Electrical Equipment and Appliance Company, 339 Rockaway Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobbers	Retailers (3 units or more)	Retailers (less than 3 units)	Consumers
Bowl heater	1,000-watt Heat- wave	Each \$3.01	Each \$3.62	Each \$3.89	Each \$5.75

These maximum prices are for the articles described in the manufacturer's application dated November 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days. These prices include Federal excise tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4719  
Model No. \_\_\_\_\_

OPA Retail Ceiling Price—\$ \_\_\_\_\_  
Federal Excise Tax Included  
Do Not Detach or Obliterate

or

A. & H. Electrical Equipment & Appliance Co.  
339 Rockaway Avenue  
Brooklyn, New York  
Model No. \_\_\_\_\_  
OPA Retail Ceiling Price—\$ \_\_\_\_\_  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of November, 1945.

Issued this 28th day of November, 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21452; Filed, Nov. 28, 1945;  
11:47 a. m.]

[MPR 260, Order 1987]

PHILIP C. GEPHART CIGAR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Philip C. Gephart Cigar Co., 622½ East Main, Independence, Kans. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
La Flor de Gephart.	5½" Invincible.	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each

brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21453; Filed, Nov. 28, 1945;  
11:51 a. m.]

[MPR 260, Order 1983]

AMB-A-TIP CIGAR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Amb-A-Tip Cigar Co., 1200 W. North Avenue, Baltimore 17, Md. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Earl Marshal	Streamline	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maxi-

mum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21454; Filed, Nov. 28, 1945;  
11:49 a. m.]

[MPR 260, Order 1989]

ALFONSO CRUZ

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Alfonso Cruz, San Francisco Sesstre Street, Gabucoa, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer

to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack-ing	Maxi-mum list price	Maxi-mum retail price
A. Cruz	Corona	50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21455; Filed, Nov. 28, 1945;  
11:52 a. m.]

[MPR 260, Order 1990]

BILLIKEN CIGAR FACTORY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Billiken Cigar Factory, 1810 North Albany, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack-ing	Maxi-mum list price	Maxi-mum retail price
Tampa-Havana Co.	Corona Spe-cial.	50	Per M \$90	Cents 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall ap-

ply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21456; Filed, Nov. 28, 1945;  
11:51 a. m.]

[MPR 591, Order 138]

MODERN REFRIGERATOR WORKS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered*:

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following freezer cabinets manufactured by the Modern Refrigerator Works of Glendale, Calif., and as described in the application dated October 20, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to distributors	On sales to dealers	On sales to consumers
FC12: 12 cu. ft., $\frac{1}{4}$ h. p. condensing unit	\$207.50	\$249	\$415
FC16: 16 cu. ft., $\frac{1}{4}$ h. p. condensing unit	235.00	282	470

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers including allowable transportation and crating charges.

## FEDERAL REGISTER, Friday, November 30, 1945

(f) The Modern Refrigerator Works of Glendale, Calif., shall stencil on the lid or cover of the freezer cabinets covered by this order, substantially the following:

OPA Maximum Retail Price—\$.....

Plus freight and crating as provided in Order No. 138 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21460; Filed, Nov. 28, 1945;  
11:48 a. m.]

[MPR 591, Order 139]

M. M. HEDGES MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum prices, excluding federal excise tax, for sales by any person to consumers of the following Electric Water Heaters manufactured by the M. M. Hedges Manufacturing Company of Chattanooga, Tennessee and described in its application dated September 28, 1945, shall be:

EL-30S—30 gallon Electric storage water heater, insulated, single element	\$72.00
EL-40S—40 gallon Electric storage water heater, insulated, single element	82.50

(b) Maximum net prices, excluding federal excise tax, f. o. b. point of shipment, for sales by any person to dealers in quantities of less than 5 heaters shall be the maximum prices specified in (a) above less a discount of 33 1/3 percent.

(c) Maximum net prices, excluding federal excise tax, f. o. b. point of shipment, for sales by any person to dealers in quantities of 5 or more heaters, shall be the maximum prices specified in (a) above less a discount of 40 percent.

(d) Maximum net prices, excluding federal excise tax, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum prices specified in (a) above less a discount of 50 percent.

(e) The maximum prices established by this order shall be subject to such further discounts and allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(g) Each seller covered by this order, except on sales to consumers shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(h) The M. M. Hedges Manufacturing Company shall attach to each of the electric water heaters covered by this order a tag containing the following:

OPA Maximum Retail Price, Not Installed, Including Actual Federal Excise Tax Paid at Source—\$.....

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21461; Filed, Nov. 28, 1945;  
11:48 a. m.]

[MPR 591, Order 140]

NEAL C. SCHNEIDER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Zero freeze box manufactured by Neal C. Schneider, 2909 Renick Street, St. Joseph 52, Mo., and as described in the application dated October 17, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to distributors	On sales to dealers	On sales to consumers
Zero freeze box: 12 cu. ft., 3/4 h. p. condensing unit	\$200	\$240	\$400

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities on October 1, 1945.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) Neal C. Schneider of St. Joseph, Mo. shall stencil on the lid or cover of the zero freeze box covered by this order, substantially the following:

OPA Maximum Retail Price—\$400.00

Plus freight and crating as provided in Order No. 140 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21462; Filed, Nov. 28, 1945;  
11:48 a. m.]

[MPR 591, Order 141]

NORTH STAR FREEZER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following home freezers manufactured by the North Star Freezer Company, 1306 Washington Avenue, South, Minneapolis, Minn., and as described in the application dated July 11, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to distributors	On sales to dealers	On sales to consumers
No. 4: 10 cu. ft., 3/4 h. p. condensing unit	\$162.50	\$195	\$325
No. 2: 10 cu. ft., 3/4 h. p. condensing unit	152.50	183	305
No. 1: 22 cu. ft., 3/4 h. p. condensing unit	260.00	312	520
No. 3: 15 cu. ft., 3/4 h. p. condensing unit	240.00	288	480

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller ex-

tended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale except retailers, including allowable transportation and crating charges.

(f) The North Star Freezer Company of Minneapolis, Minn., shall stencil on the lid or cover of the home freezer covered by this order, substantially the following:

OPA Maximum Retail Price—\$-----

Plus freight and crating as provided in Order No. 141 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21463; Filed, Nov. 28, 1945;  
11:48 a. m.]

[MPR 591, Order 142]

GARY CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) *Manufacturer's maximum prices.* (1) The maximum list price, f. o. b. point of shipment, for sales by the Gary Company of the Screen and Storm Sash Hanger manufactured by it and as described in the application dated September 22, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be: \$21.50 per gross sets.

(2) The maximum list price set forth in (1) above shall be subject to the following functional discounts:

On sales to jobbers: 50-10 percent.

On sales to retailers: 40 percent.

(b) *Jobbers' and retailers' maximum prices.* (1) The maximum prices for sales by jobbers and retailers of the

screen and storm sash hanger manufactured by the Gary Company shall be:

On sales to retailers: \$1.10 per dozen sets.  
On sales to consumers: 15 cents per set.

(c) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Each seller covered by this order, except a retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except retailers upon resale.

(e) The Gary Company shall print on the package containing the screen and storm sash set covered by this order, the following:

OPA Maximum Retail Price—\$0.15

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21464; Filed, Nov. 28, 1945;  
11:49 a. m.]

[MPR 591, Order 143]

SOUTHWEST MANUFACTURING CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) *Manufacturers' maximum prices.* (1) The maximum list price, f. o. b. point of shipment, for sales by the Southwest Manufacturing Company of its No. 3 Brass Rod, Chrome Plated Screen Door Guard manufactured by it and as described in the application dated October 31, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be: \$3.50 each.

(2) The maximum list price set forth in (1) above is subject to a discount of 30 percent on sales to retailers.

(b) *Retailers' maximum prices.* The maximum price for sales by retailers of the No. 3 Screen Door Guard manufactured by the Southwest Manufacturing Company of Santa Ana, California, shall be: \$3.50 each.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the

same class on comparable sales of similar commodities during March 1942.

(d) The Southwest Manufacturing Company shall print on the box containing the Screen Door Guard priced by this order, or attach a tag to such Screen Door Guard which shall contain substantially the following:

OPA Maximum Retail Price—\$3.50

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21465; Filed, Nov. 28, 1945;  
11:49 a. m.]

[MPR 591, Order 144]

REID MANUFACTURING CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

##### (a) *Manufacturer's maximum prices.*

(1) The maximum list prices, f. o. b. point of shipment, for sales by the Reid Manufacturing Company of the following items manufactured by it and as described in the application dated October 29, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

*List price  
(each)*

Hydraulic overhead garage door opener	\$72.00
Additional remote control valve	9.00
Yale or Corbin tumbler cylinder key locking remote control pushbutton valve for outside use	14.00
Locking remote control valve	5.00

(2) The maximum list prices set forth in (1) above shall be subject to the following discounts:

On sales to jobbers: 40 percent.

On sales to retailers: 25 percent.

(b) *Jobbers' and retailers' maximum prices—(1) Jobbers.* The maximum prices, f. o. b. point of shipment for sales by jobbers of the following items manufactured by the Reid Manufacturing Company shall be:

*On sales to  
retailers  
(each)*

Hydraulic overhead garage door opener	\$54.00
Additional remote control valve	6.75
Yale or Corbin tumbler cylinder key locking remote control pushbutton valve for outside use	10.50
Locking remote control valve	3.75

(2) *Retailers.* The maximum prices for sales by retailers of the following items manufactured by the Reid Manufacturing Company, shall be:

## FEDERAL REGISTER, Friday, November 30, 1945

	On sales to consumers (each)
Hydraulic overhead garage door opener	\$72.00
Additional remote control valve	9.00
Yale or Corbin tumbler cylinder key locking remote control pushbutton valve for outside use	14.00
Locking remote control valve	5.00

(c) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Each seller covered by this order, except a retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21466; Filed, Nov. 28, 1945;  
11:49 a. m.]

[SO 119, Order 22]

## SWARTZBAUGH MANUFACTURING CO.

## ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 13 and 14 of Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* The Swartzbaugh Manufacturing Company may increase by no more than 16 percent, its ceiling prices to each class of purchaser, for portable electric heaters of its manufacture.

(b) *Ceiling prices of purchasers for resale.* The manufacturer is required to calculate wholesalers' and retailers' ceiling prices for portable electric heaters which he sells at adjusted prices permitted by this order, according to the provisions of this paragraph.

(1) *Retailers' ceiling prices.* The retail ceiling price is the manufacturer's price for the article, exclusive of Federal excise tax, to the class of wholesaler to which the manufacturer sells in the largest volume, plus 100% of such price and the Federal excise tax paid by the manufacturer on a sale to such a wholesaler.

(2) *Wholesalers' ceiling prices.* The wholesale ceiling price is the retail ceiling price of the article, exclusive of Federal excise tax, as established by this order, less 40% for sales in quantities of three or more units, or less 35% for sales in quantities of less than three units, plus

the amount of the Federal excise tax included in the retail ceiling price.

(3) *Revision of resellers' ceiling prices.* Resellers' ceiling prices permitted by this order are subject to revision at any time in accordance with any industry-wide action which may be taken by the Office of Price Administration which requires resellers to absorb any increase in prices permitted reconversion manufacturers.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify such purchaser in writing of the methods established in paragraph (b) for determining adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on November 28, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21495; Filed, Nov. 28, 1945;  
4:45 p. m.]

[RMPR 136, Order 550]

## CERTAIN AUTOMOTIVE LIFTS

## ADJUSTED MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 30 of Revised Maximum Price Regulation 136, it is ordered:

(a) *Applicability—(1) Commodities.* This order applies to automotive lifts, both portable and stationary, single and multiple post hydraulic, overhead, mechanical electrical, and electro-hydraulic; and accessories, repair and replacement parts which are integral and functional parts of such lifts.

(2) *Persons.* This order establishes adjusted maximum prices for the sales of the commodities described in the foregoing paragraph (a) (1) only when sold by the manufacturer of such automotive lifts.

(b) *Maximum prices.* The maximum price for the sale by a manufacturer affected by this order of any automotive lift, accessory, or repair or replacement part, to which this order applies, shall be determined by increasing by 8% the "manufacturer's net price", which the manufacturer had in effect on October 1, 1941, to each class of his purchasers, after deducting average nationwide freight from such "manufacturer's net price." The list prices which the manufacturer had in effect on October 1, 1941 may not be increased but the discounts and allowances extended on October 1, 1941 to the various classes of

purchasers may be reduced in order to give effect to the increases in net prices authorized by this order.

(c) Nothing contained in this order shall authorize a reseller to increase the maximum price which he had in effect or would have had in effect just prior to the issuance of this order to any class of his purchasers.

This order shall become effective November 28, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21496; Filed, Nov. 28, 1945;  
4:42 p. m.]

[RMPR 357, Order 6]

## CERTAIN INDIA TANNED SHEEPSKINS

## MAXIMUM PRICES FOR IMPORTATION AND RESALE AFTER ARRIVAL IN THE UNITED STATES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 6 of Revised Maximum Price Regulation 357, it is ordered:

(a) The maximum prices at which any person may purchase, sell or deliver the following weights and selections of SPS mark East India tanned sheepskins shall be the prices computed as though such weights and selections were listed in section 4, Table II of Revised Maximum Price Regulation 357 as follows:

Mark	Selection		Average weight in pounds per dozen skins	Price
	Grades	Per cent in each grade		
SPS...	I-II-III-IV	20-30-30-20	7-8	\$1.3025
SPS...	I-II-III-IV	20-30-30-20	8-9	1.3425

(b) This order may be amended or revoked at any time by the Office of Price Administration.

(c) This Order No. 6 shall become effective December 3, 1945.

Issued this 29th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21582; Filed, Nov. 29, 1945;  
11:42 a. m.]

## Regional and District Office Orders.

[Region II, 2d Rev. Order G-1 under RMPR 122, Amdt. 3]

## PENNSYLVANIA ANTHRACITE IN MIDDLESEX AND SOMERSET COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-1 is amended in the following respect:

1. The caption of Second Revised Order No. G-1 is revised to read as follows: "Pennsylvania anthracite delivered by dealers in Middlesex County and that portion of Somerset County north of the Pennsylvania Railroad (Millstone Branch) and east of Leupp Lane in the Township of Franklin, State of New Jersey, Coal Area VII."

This Amendment No. 3 to Second Revised Order No. G-1 shall become effective November 15th, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued November 15th, 1945.

ALVIN J. WILLIAMS,  
Acting Regional Administrator.

[F. R. Doc. 45-21471; Filed, Nov. 28, 1945;  
1:02 p. m.]

[Region II Basic Order G-2 Under RMPR 251]

**PLUMBING AND HEATING SERVICES AND EQUIPMENT IN NEW YORK REGION**

**MAXIMUM PRICE REGULATION NO. 251**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by section 9 of Revised Maximum Price Regulation No. 251 and by Revised Procedural Regulation No. 1, it is hereby ordered:

(a) *What this order does.* This basic order puts into one document the provisions which will be common to all future orders establishing flat (dollar-and-cents) maximum prices for plumbing and heating services and percentage markups on plumbing fixtures and specialties, heating equipment and materials on an installed basis on jobs of \$250.00 and under to be issued by the New York Regional Office, Region II, pursuant to the authority contained in section 9 of Revised Maximum Price Regulation No. 251. The orders to be issued under this basic order are referred to herein as "adopting orders" and when issued will expressly adopt the provisions of this basic order. The provisions of Revised Maximum Price Regulation No. 251 remain unaffected by this basic order unless and until adopting orders are issued under this order. When such adopting orders are issued they will supersede the provisions of sections 6, 7 and 8 of Revised Maximum Price Regulation No. 251 with respect to installed sales of plumbing and heating services and plumbing fixtures and specialties, heating equipment and materials on jobs of \$250.00 or under in the area covered by such adopting orders.

(b) *Transactions covered by this order.* This order covers all sales of plumbing and heating services and plumbing fixtures and specialties, heating equipment and materials on an installed basis on jobs of \$250.00 and under, except the cleaning of cesspools and repair and maintenance of oil burners and stokers, maximum prices for which are determined under Revised Maximum Price Regulation No. 165.

The term "plumbing and heating services" as used in this order includes all services performed by plumbers or plumbing establishments in the installation, maintenance and repair of plumbing fixtures and specialties and material used in providing means for control of the supply and distribution of water, including power pumps, and gas, for reception and removal of waste or surplus water and sewage and in the installation, maintenance and repair of equipment for heating of buildings by the use of furnaces or heating plants of any type, except the repair and maintenance of oil burners and stokers.

The term "plumbing fixtures" includes all fixtures pertaining to the services of city water, gas, sewers and power pumps including such plumbing fixtures as bathtubs, lavatories, water closets, kitchen and wash sinks, hot water tanks and water heaters.

The term "heating equipment" includes such items as boilers, oil burners, stokers, radiators and unit heaters.

The term "plumbing specialties" includes small items used in the repair of plumbing fixtures and which are known to the trade as "plumbing specialties". The term includes but is not limited to such items as washers, flush valves, float balls, trip levers and other items.

The term "materials" includes all items used in the repair of plumbing fixtures and heating equipment, (except fixtures, equipment and specialties) which are necessary for the installation, maintenance or repair of plumbing fixtures and heating equipment including but not limited to all pipe, fittings and lead.

The term "hourly service rate" means the hourly rate charged to the customer for each hour of labor expended in the performance of a plumbing or heating job.

(c) *Relationship of this order and of all adopting orders under this basic order to Revised Maximum Price Regulation No. 251.* The provisions of this order, when and if adopting orders are issued, supersede sections 6, 7 and 8 of Revised Maximum Price Regulation No. 251 with respect to all sales covered by this order in the areas affected by such adopting orders. All other provisions of Revised Maximum Price Regulation No. 251 are applicable to transactions subject to this basic order, and to such adopting orders unless otherwise provided in this order or in such adopting orders. On and after the effective date of any adopting order issued under this basic order, regardless of any contract or other obligation, no person shall sell, offer to sell or deliver plumbing or heating services and plumbing fixtures and specialties, and heating equipment and materials on an installed basis on jobs of \$250.00 and under in the area covered by such adopting order at prices higher than those established by such adopting orders.

(d) *Pricing provisions applicable to adopting orders.* The maximum prices to be fixed by adopting orders under this basic order shall be upon a basis of hourly rates to customers for journeymen, apprentices, helpers or laborers and

two men teams and will be computed upon a straight time basis, an overtime basis and a rate for Sundays and holidays.

The number of hours to be charged against any job shall be counted from the time the workman leaves the shop or his previous job (whichever is later) until he completes the job, if he proceeds to another job, or until he returns to the shop if he proceeds there directly. The hours for which charges are made shall not exceed those shown in the seller's payroll records nor those shown in the records which this order requires to be kept. For any job extending into more than one day, time in transit to and from the job may be charged only once.

A journeyman or master plumber owning his own establishment shall compute his hourly service rates for plumbing and heating services actually performed by him at the rate for journeyman plumbers prescribed by the adopting order. If a job requires less than one man hour, a minimum charge equal to the rate for one hour may be made.

Maximum prices for plumbing fixtures and specialties, heating equipment and materials shall be computed by adding to the cost of such materials or specialties delivered to the seller's shop or store room, a percentage markup to be fixed by the adopting order.

(e) *Guaranteed prices.* A seller may offer to supply plumbing and heating services and plumbing fixtures and specialties, heating equipment and materials covered by this order on the basis of a guaranteed price, but such guaranteed price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order and of the applicable adopting order.

(f) *Related and incidental work.* If on any job covered by this order and an applicable adopting order any installed building materials are furnished or construction services are performed for which specific maximum prices are not fixed by the applicable adopting order, such material and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental work shall be computed under Revised Maximum Price Regulation No. 251.

(g) *Records.* Each seller must keep at his place of business available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942 as amended remains in effect, records concerning each sale covered by any adopting order applicable to the seller's locality and issued under this basic order showing the following:

- (1) Name and address of purchaser.
- (2) Location of job.
- (3) Date of transaction.
- (4) An itemized description of the materials and services involved and the prices charged.

(5) A separate statement of any related and incidental work and the prices charged for such work.

(h) *Notification.* Each seller making a sale covered by an applicable adopting

order under this basic order shall post in a conspicuous place in his place of business a list of the hourly rates fixed by such adopting order for sales made by him. He shall also, if required by a purchaser, make available to the purchaser for inspection a copy of this order, a copy of the applicable adopting order, and a copy of Revised Maximum Price Regulation No. 251. Upon completion of the work, the seller shall, if required by the purchaser, furnish to him a statement showing the following:

- (1) The name and address of the seller and of the purchaser.
- (2) The location of the job.
- (3) The date the job was completed.
- (4) An itemized description of the materials and services involved and the prices charged with a separate statement of any related and incidental work performed and the prices charged.

(i) *Amendment.* This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

An employer paying or about to pay labor rates higher than those in effect for him on the effective date of any adopting order under this basic order by reason of the predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act or any order or authorization of the Wage Adjustment Board, National War Labor Board, Office of Economic Stabilization, or any board or officer performing the functions herebefore performed by the boards and officers above named, may file an application for an amendment of such adopting order to reflect such increased labor rates. Such a petition for amendment shall conform in all respects with the provisions of Revised Procedural Regulation No. 1, except that it should be filed with the New York Regional Office of the Office of Price Administration.

This order shall become effective immediately.

Issued this 21st day of November 1945.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 45-21477; Filed, Nov. 23, 1945;  
1:04 p. m.]

[Region II Rev. Order G-11 Under RMPR 122,  
Amdt. 4]

PENNSYLVANIA ANTHRACITE IN HUDSON  
COUNTY, N. J.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order G-11 is amended in the following respects:

1. Paragraph (d) is amended by adding a new sub-paragraph (3) immediately after sub-paragraph (2) to read as follows:

(3) *Additions for sales and deliveries within State of New Jersey—Coal Area II of anthracite produced by Jeddo High-*

*land Coal Company and prepared at its Jeddo #7 and Highland #5 Breakers and sold under the trade name of "Jeddo Coal", "Highland Coal" or "Hazle Brook Coal". You may add to the "direct-delivery" prices specified in paragraph (1) above, 50¢ per net ton and 25¢ per net ½ ton for sales and deliveries of such anthracite in State of New Jersey—Coal Area II, Provided, That you keep such coal separate in storage and delivery and sell it under the name of "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal". And further provided, That you do not price such coal under Order No. G-53 of Revised Maximum Price Regulation No. 122.*

2. Paragraph (e) is amended by adding a new sub-paragraph (2) immediately after sub-paragraph (1) to read as follows:

*(2) Additions for sales and deliveries within State of New Jersey—Coal Area II of anthracite produced by Jeddo Highland Coal Company and prepared at its Jeddo #7 and Highland #5 Breakers and sold under the trade name of "Jeddo Coal", "Highland Coal" or "Hazle Brook Coal". You may add to the "Yard sales" prices specified in paragraph (1) above, 50¢ per net ton and 25¢ per net ½ ton for sales and deliveries of such anthracite in State of New Jersey—Coal Area II, Provided, That you keep such coal separate in storage and delivery and sell it under the name of "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal". And further provided, That you do not price such coal under Order No. G-53 of Revised Maximum Price Regulation No. 122.*

This Amendment No. 4 to Revised Order G-11 shall become effective November 13, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued November 9, 1945.

LEO F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 45-21473; Filed, Nov. 28, 1945;  
1:02 p. m.]

[Region II Order G-39 Under RMPR 122,  
Amdt. 2]

PENNSYLVANIA ANTHRACITE IN HUNTERDON,  
WARREN AND SOMERSET COUNTIES, N. J.

Amendment 2 to Order No. G-39 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-39 is amended in the following respects:

1. The caption of Order No. G-39 is amended to read as follows: "Pennsylvania anthracite delivered by dealers in Hunterdon and Warren Counties and all of Somerset County except the boroughs

of North Plainfield and Watchung, and that portion of Franklin Township north of the Pennsylvania Railroad (Millstone Branch) and east of Leupp Lane—State of New Jersey, Coal Area XI."

2. Paragraph (a) (1) is amended to read as follows:

*Zone I. Zone I includes all of Somerset County except the Boroughs of North Plainfield and Watchung, and that portion of Franklin Township north of the Pennsylvania Railroad (Millstone Branch) and east of Leupp Lane.*

This Amendment No. 2 to Order No. G-39 shall become effective November 15, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued November 15th, 1945.

ALVIN J. WILLIAMS,  
Acting Regional Administrator.

[F. R. Doc. 45-21472; Filed, Nov. 28, 1945;  
1:02 p. m.]

[Region II Order G-53 Under RMPR 122,  
Amdt. 25]

PENNSYLVANIA ANTHRACITE IN NEW YORK  
REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respects:

1. Revised Appendix "B" is amended by adding to the list of orders there enumerated the following:

*Order No. G-67 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. (Buffalo District Office.)*

*Order No. G-69 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. (Scranton District Office.)*

This Amendment No. 25 to Order No. G-53 as to Order No. G-67 shall become effective as of November 1, 1945, and as to Order No. G-69, it shall become effective November 19, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued November 6, 1945.

LEO F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 45-21474; Filed, Nov. 28, 1945;  
1:02 p. m.]

[Region II Order G-66 Under RMPR 122,  
Amdt. 1]

PENNSYLVANIA ANTHRACITE IN MONROE  
COUNTY, PA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Reg-

ulation No. 122, Order No. G-66 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended to read as follows:

(1) *Sales on a "direct-delivery" basis.* For sales of anthracite of the sizes and in the quantities specified.

Sizes	Per net ton	Per net $\frac{1}{2}$ ton	Per net $\frac{1}{4}$ ton	Per 100 lbs. (or sales of 100 lbs. or more, but less than $\frac{1}{4}$ ton)	Per net 50-lb. bag
Broken, egg, stove, nut	\$13.20	\$7.10	\$3.70	\$0.85	\$0.50
Pea	11.30	6.15	3.20	.75	.45
Buckwheat	9.25	5.15	2.70	.70	.40
Rice	8.40	4.70	2.50	.60	.35
Barley	7.10	4.05	2.15		
Screenings	4.25	2.15			

#### REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton, and 25¢ per net  $\frac{1}{2}$  ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

#### MAXIMUM AUTHORIZED SERVICE CHARGES

*Special Service Rendered at the Request of the Purchaser and Maximum Authorized Charges*

"Carry" or "wheel": 50¢ per net ton; 25¢ per net  $\frac{1}{2}$  ton.

Carrying upstairs or downstairs for each full flight above or below the ground floor; this charge shall be in addition to a charge for "carry" or "wheel": 50¢ per net ton; 25¢ per net  $\frac{1}{2}$  ton.

For deliveries involving hauling beyond five miles from the dealer's yard: 50¢ per net ton for each five miles or fraction thereof beyond five miles from the dealer's yard.

(2) *"Yard sales".* For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net $\frac{1}{2}$ ton	Per net $\frac{1}{4}$ ton	Per 100 lbs. (or sales of 100 lbs. or more, but less than $\frac{1}{4}$ ton)	Per net 50-lb. bag
Broken, egg, stove, nut	\$12.20	\$6.60	\$3.45	\$0.75	\$0.45
Pea	10.30	5.65	2.95	.65	.40
Buckwheat	8.25	4.65	2.45	.60	.35
Rice	7.40	4.20	2.25	.50	.30
Barley	6.10	3.55	1.90		
Screenings	3.25	1.65			

#### REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton, and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

This Amendment No. 1 to Order No. G-66 shall become effective November 7, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of November 1945.

LEO F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 45-21475; Filed, Nov. 28, 1945;  
1:03 p. m.]

[Region II Order G-69 Under RMPR 122]

#### PENNSYLVANIA ANTHRACITE IN COLUMBIA COUNTY, PA.

Order No. G-69 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania Anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania Anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the Commonwealth of Pennsylvania—Coal Area XIII. Coal Area XIII includes the Town of Bloomsburg and the townships of Catawissa, Franklin, Hemlock, Main, Montour, Mount Pleasant and Scott, Columbia County, in the Commonwealth of Pennsylvania.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area XIII are set forth in Schedule I hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area XIII whether or not you are located in Coal Area XIII.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell, or in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an Agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Refer to Schedule I which contains separate tables of prices for "Direct-Delivery" sales and "Yard" sales of anthracite. (You will find Schedule I in paragraph (d)).

(2) Take the dollars-and-cents figure set forth in the applicable table of the schedule for the size and quantity you are selling.

(3) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure derived as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in Schedule I.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area XXII. There are separate tables of prices for "Direct-Delivery" sales and "Yard" sales.

(1) *Sales on a "direct-delivery" basis.* For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net $\frac{1}{2}$ ton
Broken, egg, stove, nut	\$12.90	\$6.95
Pea	11.05	6.05
Buckwheat	8.90	4.95
Rice	7.90	4.45
Barley	6.65	3.85
Screenings	4.25	2.15

#### MAXIMUM AUTHORIZED SERVICE CHARGES

*Special Service Rendered at the Request of the Purchaser and Maximum Authorized Charges*

"Carry" or "wheel": 50¢ per net ton (except for sales amounting to less than one ton).

"Carrying" upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than  $\frac{1}{2}$  ton). This charge shall be in addition to any charge for "carry" or "wheel": 50¢ per net ton.

(2) *"Yard" sales.* For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net $\frac{1}{2}$ ton
Broken, egg, stove, nut	\$11.90	\$6.45
Pea	10.05	5.55
Buckwheat	7.90	4.45
Rice	6.90	3.95
Barley	5.65	3.35
Screenings	3.25	1.65

(e) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(f) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December, 1941. Therefore, you may not increase any schedule price on account of freight rates.

(g) *Addition of increase in supplier's maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(h) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal Tax upon the transportation or property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the Commonwealth of Pennsylvania or any political subdivision thereof, you need not state this tax separately.

(i) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed: but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural

Regulation No. 1, except that a petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order or any provision thereof, at any time.

(l) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records.* If you are a dealer subject to this order, you shall preserve, keep and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer. If known, the per net ton charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable table and schedule of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip, invoice, or receipt showing your name and address, the kind, size and quantity of the anthracite sold to him, the date of the sale or delivery, and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser.

(o) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Scranton District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(p) *Definitions and explanations.* When used in this Order G-69, the term: (1) "Person" includes an individual, corporation, partnership, association, or any

other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "Sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described herein as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings, shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania, Coal Area XIII with such designations during December 1941.

(6) "Direct-delivery" means delivery to the buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(c) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122 except as to any sales or deliveries of solid fuels not specifically subject to this order.

*Note:* The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-69 shall become effective November 19th, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of November, 1945.

LEO F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 45-21476; Filed, Nov. 28, 1945;  
1:03 p. m.]

[Charlotte Order G-3 Under Gen. Order 50, Amdt. 2]

**MALT AND CEREAL BEVERAGES IN CHARLOTTE, N. C., DISTRICT**

For the reasons set forth in the accompanying opinion, and under the authority vested in the District Director of the Charlotte, North Carolina District Office of Region IV of the Office of Price Administration, by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, *It is hereby ordered:*

(1) That the appendices of Order No. G-3 be amended by adding thereto the following brands of beer to sell at the prices indicated:

Brands	Group 1-B		Group 2-B		Group 3-B	
	12-oz.	32-oz.	12-oz.	32-oz.	12-oz.	32-oz.
1. Edelbrew premium beer	Ct.	Ct.	Ct.	Ct.	Ct.	Ct.
2. Trim beer	25	—	20	—	18	—
3. Royal amber beer	25	—	20	—	18	—
4. Meister brau	20	45	18	42	16	40

(2) That the appendices to Order No. G-3 and Amendment No. 1 to Order No. G-3 under General Order No. 50, be so amended that the ceiling prices of the following brands of beer will be listed at the amounts indicated below:

Brands	Group 1-B		Group 2-B		Group 3-B	
	12-oz.	32-oz.	12-oz.	32-oz.	12-oz.	32-oz.
1. Lambic beer	Ct.	Ct.	Ct.	Ct.	Ct.	Ct.
2. Gunther's beer	25	50	20	45	18	42

This amendment shall become effective November 15, 1945.

Except as hereby amended, Order No. G-3 under General Order 50 remains in full force and effect.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong. Pub. Law 108, E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, G.O. 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina, this 15th day of November 1945.

L. WILLIAM DRISCOLL,  
*District Director.*

[F. R. Doc. 45-21478; Filed, Nov. 28, 1945;  
1:04 p. m.]

[Sioux Falls Order G-1 Under Gen. Order 68]

**CERTAIN BUILDING AND CONSTRUCTION MATERIALS IN SIOUX FALLS, S. DAK., AREA**

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

**SECTION 1. What this order covers.** This order covers all retail sales made by any seller, except a manufacturer, of commodities specified in Appendix A below delivered to the purchaser in the

Sioux Falls area. The Sioux Falls area for the purposes of this order consists of the area within a radius of 15 miles from the County Court House in Sioux Falls, South Dakota.

**SEC. 2. Definitions.** (a) For the purposes of this regulation a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis.

(b) A consumer sale means the sale of less than two tons of one or more of the items listed in Appendix A to one purchaser at one time.

(c) A truckload sale means the sale of two tons or more of one or more of the items listed in Appendix A to one purchaser at one time.

**SEC. 3. Relation to other regulations.** The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation, 3rd RMPR 13, MPR 44, (except as to sales covered by MPR 525), MPR 293 (except as to sales covered by MPR 525), and MPR 280 to this order.

**SEC. 4. Maximum prices.** The maximum prices for the types of sales of building and construction materials listed in Appendix A delivered to a purchaser in the area designated in section 1, by all sellers except manufacturers, are the prices set forth in Appendix A.

**SEC. 5. Discounts, allowance and delivery practices.** (a) Each seller subject to this order must maintain his customary terms, discounts and allowances in sales to each class of purchaser which he had in effect during March 1942.

(b) No charge for delivery may be made for deliveries within the area designated in Section 1 hereof.

**SEC. 6. Posting of maximum prices.** Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. Posting may be accomplished by the seller by removing the second copy of Appendix A attached to this order and posting the same in a conspicuous place on his premises.

**NOTE:** Every seller making sales covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order.

**SEC. 7. Sales slips and records.** Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer, such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description, quantity, and price of each item sold. The description shall be in sufficient detail in order to determine whether the price charged has been properly computed

under this order. If he customarily prepared his sales slips in more than one copy, he must keep for at least 6 months after delivery a duplicate copy of each sales slip delivered by him pursuant to this section. Each such seller shall also keep such records of each sale as he customarily kept.

**SEC. 8. Evasion.** On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular item of building and construction material covered by this order require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

**SEC. 9.** This order may be modified, amended, or revoked at any time.

This order shall become effective December 1, 1945.

Issued this 23d day of November 1945.

E. J. WINTERSTEEN,  
*District Director.*

**APPENDIX A—MAXIMUM RETAIL PRICES FOR CERTAIN BUILDING AND CONSTRUCTION MATERIALS**

Item	Unit	Maxi-Mum con- sumer load price	price
Plaster, hard wall	Per ton	\$19.00	\$18.00
Plaster, gauging	do	33.00	—
Plaster, moulding	do	33.00	—
Plaster, bonding	do	24.00	20.00
Keene's cement	do	39.00	39.00
Finishing lime	do	26.00	26.00
Gypsum lath 3/8"	Per M sq. ft.	29.00	25.50
Metal lath, 2.5 lb., painted diamond mesh	Per 100sq. yds.	30.00	30.00
Portland cement, standard (paper bags)	Per bbl.	3.20	—
Portland cement, standard (cloth bags)	do	3.40	3.30
Masonry mortar (paper sacks)	Per 70# bag	.65	—
Mason's hydrated lime	Per 50# bag	.55	.55
Waterproof cement (white)	Per 100# bag	2.75	2.75
Gypsum block partitions, 3" hollow	Per M sq. ft.	80.00	80.00
Portland cement—quick dry	Per 100# bag	1.10	1.10
Gypsum block partitions—4" hollow	Per M sq. ft.	90.00	90.00
Common brick	Per M	29.00	—
Fire brick 9" straight—first quality	do	97.75	97.75
Fire brick 9"—second quality	do	92.50	92.50
Clay drain tile—4"	Per M ft.	66.30	66.30
Clay drain tile—5"	do	89.00	89.00
Clay drain tile—6"	do	110.80	110.80
18S—6"	do	—	—
Vitrified clay sewer pipe No. 18S—4"	Per linear ft.	.22	—
Vitrified clay sewer pipe No. 18S—5"	do	.30	—
Flue lining 9 x 9	do	.42	.42
Flue lining 9 x 13	do	.64	.64
Flue lining 13 x 13	do	.80	.80
Vitrified clay sewer pipe No. 18S—6"	do	.43	.39
Gypsum wallboard—3/8"	Per M sq. ft.	40.00	40.00
Gypsum wallboard—1/2"	do	45.00	45.00
Gypsum sheathing—1/2"	do	42.50	38.50
Asphalt roofing 90-lb. mineral surface	Per roll or sq.	2.85	2.85

## APPENDIX A—MAXIMUM RETAIL PRICES FOR CERTAIN BUILDING AND CONSTRUCTION MATERIALS—Continued

Item	Unit	Maxi-Maxim um man con-truck -consumer load price price	Maxi-Maxim um man con-truck -consumer load price price
Asphalt or tarred felt, 15-lb.	Per roll (432 ft.).	\$2.65	\$2.65
Asphalt or tarred felt, 30-lb.	Per roll (216 ft.).	2.65	2.65
Roll roofing—smooth 45#.	Per roll.	1.95	1.95
Roll roofing—smooth 55#.	do.	2.29	2.29
Roll roofing—smooth 65#.	do.	2.65	2.65
Fibre insulation board $\frac{1}{2}$ " st'd. lath and board.	Per M sq ft.	54.00	—
Hard density synthetic fibre board $\frac{1}{2}$ " tem-pered (st'd. size).	do.	101.00	—
Thermal insulation—blankets (paper backed) medium (rock wool).	do.	55.00	55.00
Thermal insulation—blankets (paper backed) single (rock wool).	do.	45.00	—
Thermal insulation—batts (paper backed) 2" thick (rock wool).	do.	55.00	—
Thermal insulation, loose in bags—plain (rock wool).	Per 40-lb. bag.	1.40	—
Thermal insulation, loose in bags—nudulated (rock wool).	do.	1.40	—
Thermal insulation—blankets (paper backed) single (Balsam wool).	Per M sq. ft.	50.00	45.00
Exploded mica insulation.	Per bag.	1.25	—

[F. R. Doc. 45-21479; Filed, Nov. 28, 1945; 1:04 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register November 20, 1945.

## REGION I

Concord Order 9-F, Amendment 28, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover, Portsmouth. Filed 9:41 a. m.

Concord Order 9-F, Amendment 29, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:40 a. m.

Concord Order 10-F, Amendment 9, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:40 a. m.

Concord Order 11-F, Amendment 9, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:38 a. m.

Concord Order 12-F, Amendment 9, covering fresh fruits and vegetables in Coos county and certain towns in Grafton county. Filed 9:38 a. m.

Providence Order 4-F, Amendment 12, covering fresh fruits and vegetables in the State of Rhode Island except the Providence Metropolitan area and Town of New Shoreham. Filed 9:37 a. m.

Providence Order 3-F, Amendment 27, covering fresh fruits and vegetables in the Providence, Rhode Island Metropolitan area. Filed 9:37 a. m.

Rhode Island Order 1-D, Amendment 1, covering butter and cheese in the entire State of Rhode Island except New Shoreham. Filed 9:37 a. m.

## REGION II

New York Order 9-F, Amendment 39, covering fresh fruits and vegetables in the Five Boroughs of New York City. Filed 9:36 a. m.

New York Order 10-F, Amendment 39, covering fresh fruits and vegetables in Nassau and Westchester counties, New York. Filed 9:36 a. m.

New York Order 13-F, Amendment 11, covering fresh fruits and vegetables in certain counties in New York. Filed 9:36 a. m.

## REGION III

Detroit Order 5-F, Amendment 41, covering fresh fruits and vegetables in Wayne and Macomb counties. Filed 9:33 a. m.

Detroit Order 5-F, Amendment 42, covering fresh fruits and vegetables in certain counties in Michigan. Filed 9:33 a. m.

Lexington Order 5-F, Amendment 33, covering fresh fruits and vegetables in the Fayette county Kentucky area. Filed 9:36 a. m.

Lexington Order 6-F, Amendment 33, covering fresh fruits and vegetables in Campbell and Kenton counties, Kentucky. Filed 9:34 a. m.

Lexington Order 7-F, Amendment 33, covering fresh fruits and vegetables in Boyd county, Kentucky. Filed 9:34 a. m.

Lexington Order 8-F, Amendment 7, covering fresh fruits and vegetables in the designated counties of Kentucky. Filed 9:34 a. m.

Saginaw Order 1-D, Amendment 1, covering butter and cheese in certain counties in Michigan. Filed 9:32 a. m.

Saginaw Order 2-D, Amendment 1, covering butter and cheese in certain counties in Michigan. Filed 9:32 a. m.

## REGION IV

Atlanta Order 19, Amendment 10, covering eggs in certain counties in Georgia and Phoenix City, Alabama. Filed 9:32 a. m.

## REGION IV

Columbia Order 23-C, 24-C, 25-C, 26-C, covering poultry in the South Carolina area. Filed 9:58 a. m. and 9:57 a. m.

Columbia Order 1-D and 2-D, covering butter in the South Carolina area. Filed 9:56 a. m.

Columbia Order 23-O, 24-O, 25-O, 26-O, covering eggs in the South Carolina area. Filed 9:55 a. m., 9:54 a. m., 9:53 a. m., and 9:51 a. m.

Columbia Order 8-F, Amendment 4, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 9:59 a. m.

Jackson Order 6-F, Amendment 3, covering fresh fruits and vegetables in the Jackson, Mississippi, District Area. Filed 9:31 a. m.

Miami Order 1-D, covering butter in the Miami-Tampa Area. Filed 9:25 a. m.

Miami Order 2-D, covering butter in the Miami, Florida Area. Filed 9:24 a. m.

Miami Order 4-D, covering butter in the Southern Florida Area. Filed 9:24 a. m.

Miami Order 5-F, Amendment 6, covering fresh fruits and vegetables in certain cities and towns of Florida. Filed 9:30 a. m.

Miami Order 6-F, Amendment 4, covering fresh fruits and vegetables in the Tampa, Florida Area. Filed 9:28 a. m.

Miami Order 7-F, Amendment 4, covering fresh fruits and vegetables in certain specified areas in Florida. Filed 9:27 a. m.

Miami Order 8-F, Amendment 4, covering fresh fruits and vegetables in Monroe County. Filed 9:26 a. m.

## REGION V

Dallas Order 4-F, Amendment 16, covering fresh fruits and vegetables in Dallas County, Texas. Filed 9:50 a. m.

Dallas Order 6-F, Amendment 5, covering fresh fruits and vegetables in McLennan County, Texas. Filed 9:50 a. m.

Dallas Order 7-F, covering fresh fruits and vegetables in certain counties in Texas. Filed 9:50 a. m.

Little Rock Order 25, Amendment 3, covering dry groceries in the State of Arkansas. Filed 9:49 a. m.

Little Rock Order 26, Amendment 3, covering dry groceries in the State of Arkansas. Filed 9:49 a. m.

## REGION VI

Twin Cities Order 1-F, Amendment 43, covering fresh fruits and vegetables in St.

Paul & Minneapolis and Adjoining Municipalities. Filed 9:49 a. m.

Twin Cities Order 3-F, Amendment 8, covering fresh fruits and vegetables in Duluth & Proctor, Minnesota & Superior, Wisconsin. Filed 9:48 a. m.

Twin Cities Order 4-F, Amendment 8, covering fresh fruits and vegetables in the Winona, Minnesota, Area. Filed 9:48 a. m.

Twin Cities Order 5-F, Amendment 7, covering fresh fruits and vegetables in the city of Rochester, Minnesota. Filed 9:47 a. m.

## REGION VIII

Los Angeles Order 3-F, Amendments 20, 21, & 22, covering fresh fruits and vegetables in the Los Angeles Metropolitan Area. Filed 9:47 a. m. & 9:46 a. m.

Los Angeles Order 4-F, Amendments 20 & 21, covering fresh fruits and vegetables in the Long Beach-San Bernardino Area. Filed 9:46 a. m.

Los Angeles Order 4-F, Amendment 22, covering fresh fruits and vegetables in the San Bernardino-Riverside Area. Filed 9:45 a. m.

Los Angeles Order 5-F, Amendments 20, 21, & 22, covering fresh fruits and vegetables in the Santa Barbara-Ventura & San Luis Obispo Area. Filed 9:45 a. m. & 9:44 a. m.

Los Angeles Order 6-F, Amendments 20, 21, & 22, covering fresh fruits and vegetables in the Santa Barbara-Ventura & San Luis Obispo Area. Filed 9:44 a. m. & 9:43 a. m.

Los Angeles Order 7-F, Amendments 1, & 2, covering fresh fruits and vegetables in the City of Bakersfield, in the County of Kern. Filed 9:43 a. m.

Los Angeles Order 8-F, covering fresh fruits and vegetables in the San Diego Metropolitan Area. Filed 9:42 a. m.

Los Angeles Order 10-F, covering fresh fruits and vegetables in Imperial County. Filed 9:42 a. m.

Los Angeles Order L. A. 1-W, Amendment 7, covering dry groceries in the Los Angeles Metropolitan Area. Filed 9:41 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-21431; Filed, Nov. 28, 1945; 11:42 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1125]

## THE PHILADELPHIA AND READING COAL AND IRON CO.

## ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November, A. D. 1945.

The Philadelphia Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5% Refunding Mortgage Sinking Fund Gold Bonds, due January 1, 1973, of The Philadelphia and Reading Coal and Iron Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered.* That the matter be set down for hearing at 10:00 a. m. on Wednesday, December 5, 1945, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered.* That Henry C. Lank, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-21484; Filed, Nov. 28, 1945;  
2:47 p. m.]

[File No. 70-1181]

THE NORTH AMERICAN CO.  
ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of November, 1945.

The North American Company, a registered holding company, has filed a declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, regarding the proposal to pay on January 2, 1946, a dividend to its holders of common stock of record on December 3, 1945, payable in the common stock of Pacific Gas and Electric Company having a par value of \$25 per share, owned by The North American Company, at the rate of one share of such stock of Pacific Gas and Electric Company on each one hundred shares of the outstanding common stock of The North American Company are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and is a step in compliance with the order of this Commission dated April 14, 1942, with respect to The North American Company pursuant to section 11 (b) (1) of the act.

or otherwise, and not having ordered a hearing thereon; and

The North American Company having requested that the Commission issue its order on or before November 26, 1945, and

The Commission finding that the requirements of section 12 (d) and Rules U-43 and U-44 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors to permit said declaration to become effective:

*It is hereby ordered.* Pursuant to said Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

*It is further ordered.* And the Commission finds, that the distribution and transfer by The North American Company on January 2, 1946, to its common stockholders of record on December 3, 1945, of shares of common stock of Pacific Gas and Electric Company having a par value of \$25 per share, represented by Certificate No. NF 261552, in payment as a dividend to such stockholders, at the rate of one share of common stock of Pacific Gas and Electric on each one hundred shares of the outstanding common stock of The North American Company are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and is a step in compliance with the order of this Commission dated April 14, 1942, with respect to The North American Company pursuant to section 11 (b) (1) of the act.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-21485; Filed, Nov. 28, 1945;  
2:47 p. m.]

[File Nos. 54-137, 59-58, 70-1178]

MIDLAND UTILITIES CO. ET AL.

SUPPLEMENTAL ORDER REGARDING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of November, 1945.

In the matter of Midland Utilities Company, File No. 54-137; Indiana Service Corporation, Midland Utilities Company, File No. 59-58; American Gas and Electric Company, File No. 70-1178.

Midland Utilities Company, a registered holding company and a subsidiary of Midland Realization Company, also a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan of corporate simplification of Indiana Service Corporation, a subsidiary of Midland Utilities Company; and

The Commission by order dated November 14, 1945 having ordered that a

hearing on such plan and matters related thereto be held on December 18, 1945, and that notice thereof be given by Indiana Service Corporation to the holders of its preferred and common stocks, by mailing to each such stockholder, to his last known address, a copy of the order dated November 14, 1945, and a copy of the plan of corporate simplification at least twenty days prior to the date of the hearing (Holding Company Act Release No. 6221); and

Indiana Service Corporation having advised the Commission of its inability to prepare and mail such material 20 days prior to said hearing and having requested that the 20 day period designated in the order be reduced to 19 days, and the Commission deeming it appropriate that such request be granted:

*It is ordered.* That the number of days prior to the date of the hearing in this matter that Indiana Service Corporation is required to mail to each of its stockholders a copy of the order dated November 14, 1945 and a copy of the plan of corporate simplification be, and hereby is, shortened to 19 days.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-21486; Filed, Nov. 28, 1945;  
2:47 p. m.]

[File Nos. 70-1187, 59-5]

WEST TEXAS UTILITIES CO. ET AL

NOTICE OF FILING AND ORDER FOR HEARING,  
ORDER RECONVENING HEARING, AND ORDER  
FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November A. D. 1945.

In the matter of West Texas Utilities Company, Central Power and Light Company, Central and South West Utilities Company, File No. 70-1187; The Middle West Corporation and its subsidiary companies, File No. 59-5.

Notice is hereby given that applications and declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10 and 12 thereof, by Central and South West Utilities Company ("Central and South West"), a registered holding company, Central Power and Light Company ("Central Power"), a public utility company and a direct subsidiary of Central and South West, and by West Texas Utilities Company ("West Texas"), a public utility company and an indirect subsidiary of Central and South West.

All interested persons are referred to the aforesaid applications and declarations which are on file in the office of this Commission for a complete statement of the transactions therein proposed, which may be summarized as follows:

Central Power proposes to sell its electric and ice properties in the Big Bend area of Texas located in Reeves, Jeff Davis, Presidio and Brewster counties, Texas, to West Texas for a base consideration of \$815,000 in cash plus an

amount equal to the net cost of additions to the properties made between September 30, 1945 and the closing date, and minor adjustments. Central Power proposes to use the proceeds from such sale for its corporate purposes in conformance with the terms of the indenture securing its first mortgage 3 1/4% bonds.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said applications and declarations should not be granted or permitted to become effective except pursuant to further order of this Commission; and

The Commission having heretofore on January 24, 1944 issued its findings, opinion and order (Holding Company Act Release No. 4846, File No. 59-5) requiring Central and South West to divest itself of the properties of Central Power in the Big Bend area of Texas, said order having reference to the identical properties now proposed to be sold by Central Power to West Texas; and

West Texas having indicated its intention of interconnecting the said electric properties with its present electric properties with the object thereby of forming an interconnected and integrated electric utility system, and West Texas further declaring that the ice properties which it proposes to acquire form an integral part of certain of the electric utility assets and that said ice properties cannot be physically separated without the loss of a large part, if not all, of the value thereof; and

It appearing that a hearing should be held to determine whether the said order of the Commission dated January 24, 1944, requiring Central and South West to dispose of the Big Bend properties of Central Power should be modified in view of the proposals described above; and

It further appearing to the Commission that the foregoing matters under File Nos. 70-1187 and 59-5 as they pertain to Central and South West, Central Power and West Texas are related and involve common questions of law and fact; that evidence offered in respect of each of said matters may have a bearing on the other; that the substantial savings in time, effort and expense will result if the hearings on said matters are consolidated so that they may be heard as one matter and so that evidence heretofore or hereafter adduced with respect to each of said matters may stand as evidence in both of said matters for all purposes;

*It is ordered*, That the hearing "In the Matter of the Middle West Corporation and Its Subsidiary Companies, File No. 59-5" with respect to the issues and matters herein recited be reconvened and consolidated with the hearing on the above described applications and declarations. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of said matters, to order a separate hearing concerning such matter, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record on any other matter.

*It is further ordered*, That a hearing on such matters under the applicable provisions of said act and rules and regulations of the Commission thereunder be held on December 12, 1945, at 10:00 a. m., E. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause will be shown why such applications and declarations should be granted and permitted to become effective respectively. Notice is hereby given to said above-named applicants and declarants and to all interested persons, said notice to be given to said applicants and declarants by registered mail and to all other persons by publication in the FEDERAL REGISTER. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the Rules of Practice, Rule XVII, on or before December 10, 1945.

*It is further ordered*, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all power granted to the Commission under section 18 (c) of said act and to the trial examiner under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of the issues presented by said applications and declarations otherwise to be considered in this proceeding, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the order of the Commission dated January 24, 1944, pursuant to section 11 (b) (1) directing that Central and South West Utilities Company dispose of the electric and ice properties of Central Power and Light Company in the Big Bend area of Texas should be modified to permit the proposed transactions.

2. Whether the proposed acquisition of electric utility assets by West Texas Utilities Company will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and, generally, whether it is in compliance with the standards of section 10 of the act.

3. Whether the standards of sections 10 and 11 (b) (1) of the act will permit the acquisition and retention by West Texas Utilities Company of the ice properties and business which it proposes to acquire from Central Power and Light Company.

4. Whether the consideration to be received by Central Power and Light Company and to be paid by West Texas Utilities Company is fair and reasonable.

5. Whether competitive conditions have been maintained in connection with the proposed sale.

6. Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound principles of accounting and meet the standards of the act.

7. Whether it is necessary or appropriate for the protection of investors or consumers to impose any terms and conditions, and, if so, what terms and conditions should be imposed.

8. Generally, whether the proposed transactions meet the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 45-21511; Filed, Nov. 29, 1945;  
11:31 a. m.]

[File Nos. 59-29, 54-128, 59-12, 54-51]

PENNSYLVANIA POWER & LIGHT CO. ET AL.  
ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of November A. D. 1945.

In the matter of Pennsylvania Power & Light Company, National Power & Light Company and Electric Bond and Share Company, File No. 59-29; in the matter of Pennsylvania Power & Light Company, National Power & Light Company and Electric Bond and Share Company, File No. 54-128; in the matter of Electric Bond and Share Company, National Power & Light Company, Pennsylvania Power & Light Company, Lehigh Valley Transit Company, The Edison Illuminating Company of Easton, et al., File No. 54-51; Applications 8, 9, and 10.

The Commission having, on October 26, 1945, entered its findings and opinion and order approving a plan of recapitalization, filed under section 11 (e) of the Public Utility Holding Company Act of 1935, for Pennsylvania Power & Light Company ("Pennsylvania"), a subsidiary of National Power & Light Company ("National"), which in turn is a subsidiary of Electric Bond and Share Company, which plan, among other matters, provided for the issuance of 1,818,700 shares of new common stock by Pennsylvania through an offer of rights to subscribe to such shares to National which will in turn offer such rights to its own stockholders on a pro-rata basis at \$10 a share; and the Commission having, in said order, reserved jurisdiction, among other matters, with respect to provisions to be contained in the offer of rights by National to protect the interests of members of the armed services who, because of being overseas, are not in a position to either exercise or sell their rights; and

National having submitted to the Commission on November 26, 1945 the terms to be contained in the offer of rights by it to protect the interests of overseas members of the armed services, which terms provide that any stockholder of record of National on December 4, 1945 and then a member of the armed services, who establishes (in an

application addressed to National at any time within 90 days after discharge from, or release from active duty in, the armed services but in any event not later than December 22, 1947) that he was overseas during the subscription period shall be entitled to receive from National an amount equivalent to the value of the Subscription Warrants which were issued to such shareholder, such value to be computed on the basis of the difference between the closing price of Common Stock of Pennsylvania on the New York Stock Exchange on the date of the expiration of the subscription period and the subscription price provided for in the Subscription Warrants; and

National having requested that, in view of the above-described provisions, the Commission issue its order releasing the jurisdiction reserved in its order dated October 26, 1945 with respect to the foregoing matter; and

It appearing to the Commission that the foregoing provision affords reasonable protection to members of the armed services who, by reason of being overseas, are not in a position to either exercise or sell their rights, and that it is appropriate to release jurisdiction previously reserved as to this matter;

*It is therefore ordered*, That jurisdiction reserved in the Commission's order of October 26, 1945 with respect to the provisions to be contained in the offer of rights by National to protect the interests of overseas members of the armed services be, and hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 45-21512; Filed, Nov. 29, 1945;  
11:32 a. m.]

[File No. 70-1141]

CITIES SERVICE CO. ET AL.

ORDER PERMITTING DECLARATIONS TO BECOME  
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of November, A. D. 1945.

In the matter of Cities Service Company, Consolidated Cities Light, Power & Traction Company, Dominion Natural Gas Company, Limited, File No. 70-1141.

Cities Service Company ("Cities"), a registered holding company, and two of its subsidiaries, Consolidated Cities Light, Power & Traction Company ("Consolidated") and Dominion Natural Gas Company, Limited ("Dominion"), have joined in filing declarations pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder with respect to transactions which are summarized as follows:

(1) The acquisition by Dominion for cash at 100% of principal amount, plus accrued interest, of \$1,350,000 principal amount of 5% First Mortgage Gold Bonds, 1953, of Southern Ontario Gas Company, Limited, assumed by Dominion and representing all of its outstanding bonds, and the sale by Consolidated and Cities to Dominion of their respec-

tive holdings of such bonds in principal amounts of \$150,000 and \$1,200,000 respectively.

(2) The dissolution of Consolidated and the distribution to its shareholders of its assets, consisting of cash in the approximate amount of \$471,000 following sale of the Dominion bonds. Consolidated has presently outstanding 2,509 shares of capital stock (other than treasury shares), of which Cities owns 2,500 shares, the holders of the remaining 9 shares being unknown. Cities will receive all the assets of Consolidated as a liquidating dividend and agrees to pay to the holders of the said 9 shares, in the event the certificates representing such shares are surrendered, or proof of ownership is otherwise established, at any time within six years after dissolution of Consolidated, the amount which the holders of said 9 shares are entitled to receive on liquidation.

Said declarations having been filed on the 7th day of September, 1945 and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declarations within the period specified in such notice or otherwise and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 12 (c), 12 (d), and 12 (f) of the act and Rules U-42, U-43, U-44 and U-46 are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declarations to become effective;

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the said declarations be and the same hereby are permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 45-21513; Filed, Nov. 29, 1945;  
11:32 a. m.]

[File No. 70-1191]

CENTRAL AND SOUTHWEST UTILITIES CO.  
ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER  
FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November, A. D. 1945.

In the matter of Central and Southwest Utilities Company, Central Power and Light Company (Massachusetts), Central Power and Light Company (Texas); File No. 70-1191.

Notice is hereby given that applications and declarations (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central and South West Utilities Company (South West), a registered holding company, its subsidiary, Central Power and Light Company, a Massa-

chusetts corporation (Central (Mass.)), and Central Power and Light Company (Central (Texas)), a Texas corporation recently organized, to acquire the properties and business of Central (Mass.).

All interested persons are referred to the aforesaid applications and declarations (or both) on file in the office of this Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

The filing contemplates that Central (Mass.) will transfer all its assets (with the exception of its investment in a small Mexican utility company) to Central (Texas), refund all its outstanding serial notes by the issuance of new unsecured serial notes, retire, by means of an exchange offer or redemption, all its outstanding 7% and 6% preferred stock, distribute its remaining assets to South West and dissolve. To effectuate these purposes, the following steps are proposed:

1. Central (Mass.) proposes to issue and sell to banks \$3,500,000 principal amount of its 2% unsecured notes, due serially April 1, 1946, to April 1, 1952, in semi-annual maturities varying from \$200,000 to \$400,00 each.

2. Central (Mass.) proposes to sell and Central (Texas) proposes to acquire all of the electric utility properties, water and ice properties, and all other assets of every kind and character owned by Central (Mass.) except 1,450 shares of the capital stock of Compania Electrica De Matamoras, S. A., a Mexican corporation, and except such cash as will be required for the payment to the preferred stockholders of Central (Mass.) who accept the exchange offer referred to below and for the redemption of such shares of preferred stock of Central (Mass.) as may not be exchanged.

3. Central (Texas) in consideration for the assets to be acquired by it from Central (Mass.) proposes (a) to issue and deliver to Central (Mass.) 100,000 shares of \$100 par value cumulative preferred stock and 202,170 shares of its no par value common stock (Central (Mass.) will also acquire the 10 shares of common stock originally issued by Central (Texas) to its incorporators), (b) to assume liability for the \$25,000,000 principal amount of 3 1/8% first mortgage bonds of Central (Mass.) due November 1, 1973, and for all other indebtedness and liabilities of Central (Mass.), and (c) to execute and deliver to its own unsecured serial notes in substitution for the outstanding notes of Central (Mass.).

4. Central (Mass.) proposes to offer for sale at competitive bidding, pursuant to the requirements of Rule U-50, subject to the exchange rights to be offered to the holders of its outstanding preferred stock, the 100,000 shares of \$100 par value preferred stock of Central (Texas). The dividend rates and the initial public offering price are to be determined by competitive bidding. In addition, the aggregate amount of compensation to be paid for affecting exchanges pursuant to the exchange offer and to purchase the unexchanged preferred stock are also to be determined by competitive bidding.

The offering of the preferred stock of Central (Texas) is to be subject to an exchange offer whereby the holders of the outstanding 7% and 6% preferred stock of Central (Mass.) may exchange their shares for shares of the preferred stock of Central (Texas) during a period of approximately 10 days, on a share for share basis, with a cash adjustment for the difference between the initial public offering price of the preferred stock of Central (Texas) (which is not to exceed \$102.75) including accrued dividends to the date of the redemption of the unexchanged shares of the preferred stock of Central (Mass.) and the redemption price of the shares of the preferred stock of Central (Mass.) to be surrendered in exchange, including accrued dividends to the date of redemption of the unexchanged shares of the preferred stock of Central (Mass.). If more than 100,000 shares of Central (Mass.) preferred stock are deposited for exchange during the period in which the exchange offer is in effect, the number of shares to be exchanged is to be reduced pro rata as nearly as may be without the issue of fractional shares to a maximum of 100,000 shares.

5. Central (Mass.) proposes to use the proceeds from the sale of its serial notes and of the preferred stock of Central (Texas) for the refinancing and retirement of its outstanding securities as follows:

Security	Principal amount or shares	Redemption price
Unsecured serial notes, 2 3/4-3%, due to Apr. 1, 1950	\$2,650,000	
7% cumulative preferred stock	92,417	\$120
6% cumulative preferred stock	30,981	110

6. Central (Mass.) proposes to distribute in final liquidation to South West 202,180 shares of the common stock of Central (Texas) and 1,450 shares of capital stock of Compania Electrica De Matamoras, S. A. and thereafter to dissolve.

The filing has designated sections 6 (a), 7, 9, 12 (c), 12 (d) and 12 (f) of the Act and Rules U-42, U-43 and U-50 as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said applications or declarations (or both) shall not be granted or be permitted to become effective except pursuant to further order of the Commission.

*It is ordered*, That a hearing on said matters under the applicable provisions of the act and the rules of the Commission thereunder be held on December 11, 1945, at 10:00 a. m., e. s. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. Any person proposing to be heard or otherwise to participate in these proceedings shall file with the Secretary of the Commission on or before December 7, 1945, a written request relative thereto as pro-

vided by Rule XVII of the rules of practice of the Commission.

*It is further ordered*, That Robert P. Reeder or any other officer or officers of this Commission designated by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of the issues otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed issue and sale of notes by Central (Mass.) meets the applicable requirements of section 7 of the act.

2. Whether the proposed issue and sale of securities by Central (Texas) comply with the applicable requirements of section 7 of the act.

3. Whether the terms and conditions of the securities proposed to be issued by Central (Mass.) and Central (Texas) are detrimental to the public interest and the interests of investors or consumers.

4. Whether the terms and conditions of the proposed exchange offer are fair and reasonable and appropriate in the public interest and the interests of investors and consumers.

5. Whether the proposed acquisition of the assets of Central (Mass.) by Central (Texas) meets the standards of section 10 of the act.

6. Whether the proposed assumption of the bonds and other liabilities of Central (Mass.) by Central (Texas) meets the applicable provisions of the act and the rules and regulations promulgated thereunder.

7. Whether the fees, commissions or other remunerations to be paid in connection with the proposed transactions are reasonable.

8. Whether the accounting entries to be made in connection with the proposed transactions are proper and in accordance with sound accounting principles.

9. Generally, whether the proposed transactions comply with all of the applicable provisions of the act and the rules and regulations promulgated thereunder.

10. Whether, in the event the applications and declarations shall be granted or permitted to become effective, it is necessary to impose any terms or conditions to ensure compliance with the standards of the act.

*It is further ordered*, That notice of said hearing is hereby given to the applicants and declarants and to all interested persons; said notice to be given to Central and South West Utilities Company, to Central Power and Light Company (Massachusetts), to Central Power and Light Company (Texas), to the First National Bank of Chicago and Robert L. Grinell, Trustees, and to the Railroad Commission of Texas, by registered mail and to all other persons by general release of this Commission distributed to the press and mailed to the mailing list

for release issued under the act, and by publication of this notice and order for the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DU BOIS,  
Secretary.

[F. R. Doc. 45-21516; Filed, Nov. 29, 1945;  
11:32 a. m.]

[File Nos. 7-799, 7-800, 7-802, 7-803, 7-804,  
7-805, 7-807]

AMERICAN AIRLINES, INC., ET AL.

FINDINGS AND ORDER GRANTING  
APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of November, A. D. 1945.

In the matter of applications by the Boston Stock Exchange to extend unlisted trading privileges to American Airlines, Inc., Common Stock, \$5 par value, 7-799; American & Foreign Power Company, Inc., \$7 cumulative second preferred stock, no par value, Series A, 7-800; Carrier Corporation, common stock, \$10 par value, 7-802; Crane Company, common stock, \$25 par value, 7-803; Crucible Steel Company of America, common stock, no par value, 7-804; The Curtis Publishing Company, common stock, no par value, 7-805; and Lockheed Aircraft Corporation, capital stock, \$1.00 par value, 7-807.

The Boston Stock Exchange having made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the above-mentioned securities;

A public hearing having been held after appropriate notice;

The Commission, being duly advised, finds:

(1) That all of the subject securities are listed and registered on the New York Stock Exchange. In addition, Crane Company common stock is listed and registered on the Chicago Stock Exchange; The Curtis Publishing Company common stock is listed and registered on the Philadelphia Stock Exchange; and Lockheed Aircraft Corporation capital stock is listed and registered on the Los Angeles and San Francisco Stock Exchanges;

(2) That the number of shares of the subject securities outstanding, the distribution in the vicinity of the applicant exchange, and the volume of trading in said vicinity are as set forth in the attached table;

(3) That sufficient public distribution of and sufficient public trading activity in these securities exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(4) That the extension of unlisted trading privileges is otherwise appropriate in the public interest and for the protection of investors.

Accordingly, *It is ordered*, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the applications of the Boston Stock Exchange for permission to extend unlisted trading privileges to:

American Airlines, Inc., Common Stock, \$5 Par Value, American & Foreign Power Company, Inc., \$7 Cumulative Second Preferred Stock, No Par Value, Series A, Carrier Corporation Common Stock, \$10 Par Value, Crane Company

Common Stock, \$25 Par Value, Crucible Steel Company of America Common Stock, No Par Value, The Curtis Publishing Company Common Stock, No Par Value, and Lockheed Aircraft Corporation Capital Stock, \$1.00 Par Value.

be, and the same are, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

SUMMARY PERTAINING TO APPLICATIONS BY THE BOSTON STOCK EXCHANGE TO EXTEND UNLISTED TRADING PRIVILEGES TO SEVEN STOCKS

	Shares outstanding	Distribution in New England <sup>1</sup> (excluding Connecticut).		Distribution in Connecticut <sup>1</sup>		Trading in vicinity <sup>2</sup>	
		Shares	Holders	Shares	Holders	Shares	Transactions
American Airlines, Inc.: Common stock, \$5 par value	1,290,567 <sup>3</sup> 400	<sup>4</sup> 108,661	1,508	<sup>4</sup> 20,327	469	24,403	419
American & Foreign Power Co., Inc.: 7 cumulative second preferred stock, no par value, series A	2,569,896	<sup>4</sup> 14,685	387	<sup>4</sup> 2,299	67	63,120	659
Carrier Corp.: Common stock, \$10 par value	415,666	<sup>4</sup> 14,570	277	<sup>4</sup> 6,712	79	15,422	190
Crucible Steel Co. of America: Common stock, no par value	2,348,628	<sup>4</sup> 59,928	520	<sup>4</sup> 32,205	647	34,723	400
The Curtis Publishing Co.: Common stock, no par value	445,198	<sup>4</sup> 12,563	298	<sup>4</sup> 10,148	79	33,388	476
Lockheed Aircraft Corp.: Capital stock, \$1.00 par value	3,457,688 <sup>3</sup> 4	<sup>4</sup> 139,619	1,005	<sup>4</sup> 28,950	275	99,440	734
	1,075,960	<sup>4</sup> 91,537	1,129	<sup>4</sup> 8,887	204	78,476	936

<sup>1</sup> Reported by issuers giving actual holdings.

<sup>2</sup> Reported by member firms of Boston Stock Exchange for 12-month period ending Mar. 31, 1945.

<sup>3</sup> As of Mar. 26, 1945.

<sup>4</sup> As of Oct. 31, 1944.

<sup>5</sup> As of Mar. 15, 1945.

<sup>6</sup> As of Mar. 10, 1945.

<sup>7</sup> As of Apr. 25, 1945.

<sup>8</sup> As of Mar. 7, 1945.

<sup>9</sup> As of Mar. 31, 1945.

[F. R. Doc. 45-21515; Filed, Nov. 29, 1945; 11:32 a. m.]

[File No. 812-399]

INSURANSHARES CORPORATION OF DELAWARE AND CHARLES J. GREGORY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa., on the 28th day of November, A. D., 1945.

An application having been filed by Insuranshares Corporation of Delaware pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section

17 (a) (2) of said act a proposed transaction whereby the applicant proposes to sell its 190 shares of \$25 par value, cumulative, 6%, preferred stock, and 3,810 shares of no par value common stock of Bond and Share Trading Corporation, amounting to 8.29% of the outstanding preferred stock and 10.93% of the outstanding common stock, respectively, to Charles J. Gregory, president and director of Bond and Share Trading Corporation, at \$30 a share for the preferred stock and \$0.30 a share for the common stock, or an aggregate consideration of \$6,843; applicant and Bond and Share Trading Corporation being registered investment companies and Charles J. Gregory being an affiliated person of an affiliated person of the applicant;

*It is ordered*, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on December 11, 1945 at 10:00 a. m., eastern standard time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

*It is further ordered*, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Insuranshares Corporation of Delaware and Charles J. Gregory and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 45-21514; Filed, Nov. 29, 1945; 11:32 a. m.]

